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 and youth

A PLAN TO IMPROVE SERVICES TO MONTANA'S EMOTIONALLY DISTURBED CHILDREN AND YOUTH

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Helena, Montana
June 1982

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PREFACE

When the Subcommittee on Emotionally Disturbed Children began to discuss the idea of writing a comprehensive, statewide plan for services to the state's emotionally disturbed children and youth, we found that it had been discussed before. As far back as 1976, a variety of documentation from the Governor's Office, the Departments of Public Instruction, Institutions, and Justice as well as the state's Mental Health Advisory Council had requested this type of study.

A significant characteristic of emotionally disturbed children in Montana is that they cross all the boundaries of the social, human service and educational agencies in the state and at both the local and state levels. Because of this, the effort to collect and analyze data from this variety of sources was a complicated and involving task.

Perhaps the first real conclusion drawn from this process had to do with how difficult it is to gather and monitor data from a system which is so fragmented. Many of the recommendations found on pages 66-70 relate directly to this problem. It is hoped that implementation of these recommendations will improve services to emotionally disturbed children by allowing the various systems and agencies who provide these services to increase their ability to know what they and other agencies are doing with emotionally disturbed children and what is left that still needs to be done.

INTRODUCTION AND METHODOLOGY

In November of 1982, the Interagency Committee on Emotionally Disturbed Children commissioned the development of a state plan for emotionally disturbed youth. The funding for this study came from a grant through the State Developmental Disabilities Planning and Advisory Council. The committee recognized that the problem affecting service delivery crossed agency lines not only at state, but local levels as well. They also recognized that significant numbers of youth were not only underserved, but unserved, and that the service delivery system was characterized by fragmentation, lack of coordination, and lack of evaluation.

Rather than attempt to address the entire system of care for emotionally disturbed children and youth, the committee adopted the following mission statement as the scope of their examination of this issue:

To develop a state plan for emotionally disturbed children and youth whose behavior is so disturbing* that they have been, are in need of, or are moving significantly toward being placed outside their "family" setting. This plan will define state and local agency responsibilities from both fiscal and operational perspectives in the areas of treatment and diagnosis in both residential and new residential settings. The plan will recommend a system that will outline an optimum appropriate delivery system that will have as its goal the ability of those children and youth to ultimately function independent of those services, and where this is not possible, to have those services delivered in as efficient, cooperative, and cost effective manner as possible.

Out of this mission statement the committee adopted three first order goals that logically grew from the mission statement.

- 1) To develop a comprehensive fiscal structure for the treatment, diagnosis and evaluation of emotionally disturbed children and youth that will define state and local responsibilities and

*as defined by PL 94-142 & DSM 3

will interface with a continuum of treatment and diagnostic services.

- 2) To develop a comprehensive system of treatment and care based on a continuum of from least to most disturbed children and youth that is interfaced with type of facility and program and defines state and local responsibilities.
- 3) To develop a comprehensive system for the diagnosis and evaluation of emotionally disturbed children and youth that defines responsibilities at state and local levels and is of maximum utility for decision makers for treatment, planning, and placement.

It must be emphasized that it was not possible to achieve in total each of the goals and the mission statement listed above. Goals and mission statements are ideal states. As will be seen during the course of this report, levels of system development and lack of an adequate data base seriously impaired the attainment of goals. However, each of these goals is addressed and the extent to which they are addressed is summarized in the section called "Recommendations."

This plan is divided into 3 sections, excluding recommendations.

Data for the first part, "The Field Personnel Questionnaire", were derived from a lengthy questionnaire of field service personnel, including Chief Probation Officers, Probation Officers, Social Worker Supervisors, Social Workers, Aftercare Counselors and Special Education Directors. Forty-six individuals were surveyed, including 16 County Welfare personnel, 15 Probation Officers, 5 Aftercare Counselors and 10 Special Education Directors.

The data derived from this survey were tabulated and processed utilizing the Statistical Package for Social Sciences. Assistance from Department of Justice programmers was gratefully accepted. Refer to Appendix A for a map which shows Distribution of Respondents. We did not attempt to draw a statistic-

tically significant sample, but rather a representative sample of social workers, line workers, supervisors, and directors that balanced occupational affiliation with geographic distribution. Therefore, the reader cannot infer from the findings that they are statistically significant, but the findings are representative of many field personnel's concerns and beliefs.

The second part of Appendix A shows the total universe of potential respondents from which this sample was drawn. We did not list the total number of social workers since the kinds of cases with which they work varies tremendously between case workers, counties, and districts. That is, social workers are not categorized by the types of cases they handle. Therefore, listing all social workers who have a child welfare caseload would be misleading due to this variation.

The data for the second part, "Analysis of the Facility Utilization Questionnaire", were gathered through a questionnaire sent to all group home and child care agency facilities identified in the Montana Group Care Facilities Handbook: 1980-81. These data were hand tabulated with assistance from the staff at the Montana Board of Crime Control, Department of Justice.

The data for the third section, "Utilization of Diagnostic and Evaluation Resources" were derived from a survey given to all regional mental health centers in cooperation with the Mental Health Residential Services Division, Department of Institutions. Other data were gathered by going directly to the facility in question, with the exception of the data on Pine Hills and Mountain View, which were supplied by the Division of Corrections, Department of Institutions.

FIELD PERSONNEL QUESTIONNAIRE

POLICIES AND PROCEDURES

In this section we were interested in surveying policies and procedures within the respondent's agency and other agencies with whom they might work; the degree to which they worked with other agencies and their levels of satisfaction in that working relationship.

In the first set of questions we asked whether or not their "agency had a written set of policies and procedures for placement of youth outside their family setting or into another setting." We also asked if "these policies and procedures are generally adequate or inadequate in assisting and guiding you in making placement decisions."

We were impressed with the fact that regardless of whether or not these policies and procedures were written or unwritten, there seemed to be no relationship with how adequate they were in making placement decisions. Many written policies were not referred to, and in the case of some agencies, there was some disagreement as to whether or not the policies and procedures were written.

The two state agencies, Aftercare and Welfare, seemed to be least satisfied with the adequacy of their policies and procedures in making placement decisions.

We asked the respondents to comment on their policies and procedures.

Their comments are summarized below:

	Number Responding
Written Policies-County Welfare	
- Don't use policies, rely on professional judgement, unwritten policies supercede	-4
- Confusing and/or incomplete and/or too general	-4
- Adequate, they work	-6
Written Policies-Probation (5)	
- Use or follow the Youth Court Act	-2
- Give direction, but flexible	-2
- Inadequate	-1
Unwritten Policies-Probation (9)	
- Informal, case by case decisions based on knowledge of youth family and other agencies	-6
- Lack of coordination with other agencies and lack of clarity	-3
Written Policies-Aftercare (2)	
- Don't allow for enough time changes, too abrupt	-1
- Tells you what to do	-1
Unwritten Policies-Aftercare (3)	
- Knowledge of job and cases allow for good decisions	-2
- Not enough training	-1
Written Policies-Special Education (4)	
- Good understanding by everybody and involve other agencies and community	-3
- Not updated or comprehensive enough	-1
Unwritten Policies-Special Education (5)	
- Allow for working well with other agencies successful	-4
- Need written criteria	-1

How often and in what percent of cases do agencies work together?

How satisfied are they in their working relationships with one another, and why?

The above questions were asked of the following agencies:

Probation, County Welfare, Aftercare and Special Education. Another agency, Community Mental Health was mentioned frequently enough to include in the analysis. The reader should keep in mind the responses are by all of the other agency representatives about the agency in question. For example, the first agency is Probation. Thirty agency respondents indicated they had worked with probation.

Probation

The first agency we asked about was Probation. Thirty of thirty-one respondents indicated they worked with probation. When asked "in what percentage of cases involving youth in need of placement do you work with probation," they responded as summarized in the table below:

Agency	Percent cases involving youth in need of placement - Probation N=30					
	51-100% of cases		26-50% of cases		25% or less of cases	
	#	%	#	%	#	%
County Welfare	2	12	3	19	11	69
Aftercare	2	50	0	0	2	50
Special Education	5	56	1	11	3	33
Total/Average	9	31	4	14	16	55

Special Education and Aftercare work more with Probation in cases involving youth in need of placement than County Welfare. This could be due to welfare having a unique caseload in child welfare services.

When we asked how familiar the agencies were with Probation's policies and procedures (including funding resources in relation to youth in need of placement) we found 56% of County Welfare personnel were very familiar

with these policies and procedures while, overall, 57% indicated they were somewhat familiar and only one respondent said he was not at all familiar.

How satisfied are they with Probation involving youth in need of placement? The following table summarizes their responses.

Agency	Level of Satisfaction on issues relating to youth in need of placement - Probation N=30					
	Very #	Very %	Somewhat #	Somewhat %	Not at All #	Not at All %
County Welfare	4	25	8	50	4	25
Aftercare	1	25	3	75	0	0
Special Education	4	40	6	60	0	0
Total/Average	9	30	17	57	4	13

The table indicates that County Welfare workers are least satisfied in their working relationships with Probation, followed by Aftercare, and then Special Education. However, the high percentage of those indicating they were somewhat satisfied indicates a high degree of ambivalence. We asked why, and those comments are summarized below.

County Welfare (16)

- Philosophical differences on placement and between agencies. Disagreement on YINS and YINC and who is to handle them. -7
- Jurisdictional problems on ordering SRS to pay for probation. Lack of cooperation. -5
- Good cooperation. Shared philosophy. -4

Aftercare (4)

- Lack understanding of Aftercare's policies and goals. -2
- General comments. -2

Special Education (10)

- Lack of cooperation, timely involvement and/or coordination on cases. -5
- good cooperation and coordination on cases. -5

This ambivalence, based on the comments received, appears to move in a negative direction, since 19 of 26 comments appear to focus on philosophical differences: jurisdictional problems; lack of understanding of policies and lack of coordination and cooperation on cases.

County Welfare

The second agency we asked about was SRS. Twenty-eight of a total possible thirty respondents indicated that they had. When asked "in what percentage of cases involving youth in need of placement do you work with SRS", they responded as summarized in the table below.

Agency	Percent cases involving youth in need of placement SRS N=28					
	51-100% of cases		26-50% of cases		25% or less of cases	
	#	%	#	%	#	%
Probation	10	67	1	7	4	27
Aftercare	0	0	1	33	2	67
Special Education	8	80	0	0	2	20
Total/Average	18	64	2	7	8	29

How satisfied were these agencies with their working relationships with other agencies? The following table summarizes those responses.

Agency	Level of staisfaction on issues relating to youth in need of place- ment - County Welfare N=28					
	Very		Somewhat		Not at all	
	#	%	#	%	#	%
Probation	7	47	6	40	2	13
Aftercare	1	33	2	67	0	0
Special Education	6	60	4	40	0	0
Total/Average	14	50	12	43	2	7

While it appears generally that the level of satisfaction is greater in the working relationships with youth in need of placement involving County Welfare personnel than with Probation, there is still a degree of ambivalence. Again, comments received from respondents relative to this are summarized on the following page.

Probation (14)		
- work well with individual social workers, cooperative, provide funding for placements.		-7
- too slow, too much bureaucracy, philosophical differences on YINS, personality problems.		-7
Aftercare (2)		
- good relationship		-1
- too much bureaucracy		-1
Special Education (10)		
- good cooperation and coordination		-9
- differences in approaches and coordination		-2

The ambivalence, based on comments received, was resolved in a positive direction since 17 of the 27 comments indicate the working relationship is typified by cooperation and coordination, and the provision of funding.

The negative comments from Probation pointed out philosophical problems on Youth In Need of Supervision. This is significant because seven of the County Welfare workers pointed out the same difficulty in working with Probation. The positive comments by Probation, relative to the provision of funding for placements, were viewed negatively by County Welfare since they often are the recipients of orders to pay for placements. These two problems - jurisdiction over Youth in Need of Supervision and payment for placement - constitute the greatest strain in the working relationship between County Welfare and Probation. This strain requires resolution.

Special Education

Thirty-two (89%) of thirty-six respondents indicated working with Special Education personnel on cases involving youth in need of placement. The exception was Aftercare, where 2 out of 5 workers reported not working with Special Education.

The percentage of cases that respondents reported working with Special Education of youth in need of placement varied widely. That variation is

summarized in the table below:

Agency	Percent of cases involving youth in need of placement					
	51-100% of cases		SPECIAL EDUCATION		25% or less of cases	
	#	%	#	%	#	%
County Welfare	6	37.5	4	25	6	37.5
Probation	5	36	3	21	6	43
Aftercare	1	33	0	0	2	67
Total/Average	12	36	7	21	14	43

There does seem to be some relationship between level of involvement in cases, and familiarity with Special Education's policies and procedures for youth in need of placement. Thirty-six percent of the respondents said they were familiar, while 52% and 12% indicated they were either somewhat, or not at all familiar, respectively, with Special Education's policies and procedures.

Most respondents (16) indicated they were very satisfied with their working relationships, while 15 said they were somewhat satisfied and only two said they were not at all satisfied. This pattern did not change much between agencies. A table was not included due to the fact there were no appreciable differences between agencies.

The following comments, however, show a greater level of concern regarding certain elements of working relationships than the above responses would seem to indicate.

County Welfare (15)

- funding problems with some districts. Lack of clarity on funding policies. -6
- differences and/or conflicts in orientation and/or philosophy. -4
- good working relationship and cooperation. -5

Probation (12)

- funding problems and concern about too much bureaucracy and regulations. -4
- lack of cooperation with and/or understanding of probation's role. -3
- good working relationship and cooperation. -5

Aftercare (2)	
- positive relationship	-1
- negative relationship	-1

Of the twenty-nine comments received, eighteen were negative in nature, focusing on funding problems; differences and/or conflicts in orientation, and/or philosophy; and lack of cooperation. The funding issue was mentioned most frequently and is one that has been consistently expressed as problematic by Special Education personnel. Who is responsible for payment of what services and under what set of circumstances? Clearly there is little, if any, uniformity throughout the state. Many respondents indicated that their working relationships varied tremendously depending on the school district in question. These relationships are particularly difficult when extensive negotiations are conducted in order to determine the level of financial participation in the placement. Again, this issue begs resolution.

Aftercare

While 56% of the respondents reported working with Aftercare on cases involving youth in need of placement, 83% said they worked with Aftercare on 25% or less of their cases. Most respondents said that general lack of cases in common and small sample size renders review of the other factors somewhat meaningless.

Suffice it to say that the majority of the respondents, while having minimal contact with Aftercare, gave us comments that were characterized as generally positive.

Mental Health

When asked about other agencies with whom they might work on issues involving youth in need of placement, 37% mentioned Mental Health. The actual number of respondents who work with Mental Health overall is obviously much higher, but these 37% said they worked with them on youth in need of placement.

The results of questions about the percent of cases, familiarity with policies, and working relationships were inconclusive due to the fact that so few of the respondents reported working with Mental Health.

Eleven of fifteen comments received were critical, in that they felt recommendations were unrealistic; there were philosophical differences; and that Mental Health has a tendency to work only with kids who, upon their own volition, seek help.

When reviewing this information in connection with the section on evaluation resources, one must conclude that much needs to be done to improve the working relationship between youth serving agencies and the Mental Health centers.

Other Concerns

We asked the respondents if there were "Any other factors or conditions that we should be aware of that affects your working relationship with other agencies as it relates to youth in need of placement." Their responses are summarized below and generally reiterate concerns expressed in previous sections.

County Welfare (13)

- Personality conflicts between SRS and probation personnel -7
- Conflicts and confusion over policy primarily with probation over court orders to pay for placement and jurisdictional problems. There is a grey area between YINS and youth in need of care. -3
- Lack of resources and need for their development. -2
- Confidentiality -1

Probation (6)

- Financial bureaucratic, philosophical and policy strains primarily with SRS. Concern with fragmentation and local/state roles. -6
- Other -2

Aftercare (3)

- Limited funding available -3

Special Education

- Funding and lack thereof and/or lack of understanding of policies, procedures and definitions. -4
- Other -2

Again, the majority of comments by SRS and Probation personnel related to jurisdictional problems on Youth In Need of Supervision; differences in philosophy; bureaucratic strains; and financial issues relative to court orders to pay. Other comments from agencies dealt with limited funding for placements, and Special Education reiterated their concerns relative to a lack of understanding of their policies, procedures and definitions.

Relationship with the Youth Court

Since many cases require a formal adjudication and disposition by the youth court before placement occurs, we asked agency representatives if they "ever brought cases or consulted on cases where the youth court judge ordered placement and payment thereof." Eighty-nine percent of the respondents indicated they had. Three of the five Aftercare counselors, and two of the ten Special Education personnel said they had not.

Next we asked: "What percentage of the time does the youth court concur with your recommendation for placement and the specific program or facility at which you recommend the youth to be placed?"

As expected, the youth court agreed with 76% of the respondents' recommendations 76-100% of the time. The majority of those said it was rare when the youth court judge did not concur with their recommendation.

The following table summarizes their responses:

Percent of time youth court concurs with recommendations for placement (All agencies) N-41

	76-100%		51-75%		26-50%		25% or less	
	#	%	#	%	#	%	#	%
Total	31	76	4	10	3	7	3	7

The group appearing to have the most difficult time convincing the judges to concur with them was Special Education with the youth court judge agreeing with 50% of the respondents on 76-100% of the cases. Two respondents from Special Education said the youth court judge agreed with them 25% or

less of the time on cases.

Finally, we asked if there were "any other factors or conditions that we should be aware of that are involved in your relationship with the youth court that affects decisions regarding youth in need of placement."

The answers received are summarized below.

County Welfare (15)

- | | |
|--|----|
| - Conflicts between county welfare and youth court regarding youth court orders to pay for placement | -7 |
| - Problems with receiving adequate representation from the county attorney's office | -3 |
| - Problems with youth court judge understanding or wanting to understand welfare's problems or roles | -3 |
| - Other | -2 |

Probation (6)

- | | |
|--|----|
| - good working relationship with judges | -2 |
| - lack of understanding of problems and lack of consistency on part of youth court judge | -2 |
| - Other comments | -2 |

Aftercare (2)

- | | |
|---|----|
| - Receive illegal court orders, lack of understanding | -1 |
| - Feel kids are returned from PHSB too soon | -1 |

Special Education (6)

- | | |
|--|----|
| - lack of consultation or communication with special education before decisions are made | -6 |
|--|----|

Other than reiterating concerns, the new comments refer, on the part of County Welfare representatives, to the lack of adequate representation from the county attorney's office, and problems with an understanding by the judge of Welfare's problems or roles. The other significant and, indeed, near unanimous comment received from Special Education personnel concerned the lack of consultation or communication with them before decisions are made. It appears their level of involvement in the court process is minimal and somewhat frustrating.

Summary

- 1) While agencies were roughly evenly divided on whether or not their policies and procedures relative to placement were

written or unwritten, there appeared to be no relationship between that and their view as to their adequacy. However, there seemed to be some relationship between how adequate the policies were and whether or not they were a state agency. Agency representatives whose policies were written by the state generally felt they were less adequate.

- 2) Three agencies - Probation, County Welfare, and Special Education - work together extensively on cases that involve youth in need of placement. There does not seem to be a relationship between the knowledge of each respective agency's policies and their level of satisfaction in their working relationship with that agency. However, there does seem to be a positive relationship between the amount an agency works with another agency on cases involving youth in need of placement and their level of satisfaction in the working relationship with the agency. That is, the more an agency works with another agency, the more satisfied they tend to be in their working relationships. However, due to overall lack of uniformity regarding what percentage of time they do work together on these cases, perhaps an alternative hypothesis would be that if they are satisfied, then they tend to work more on cases together.
- 3) There are significant strains in working relationships between agencies. The themes that kept reappearing are as follows:
 - County Welfare: Probation and Aftercare appeared to be frustrated with the amount of bureaucracy and red tape associated with making placements. Concerns were repeatedly expressed on philosophical differences between County Welfare and Probation on the issue of youth in need of supervision. Most, however, appeared to enjoy a cooperative working relationship, but much depended on the personality of the worker.

- Probation: County Welfare expressed deep and repeated concerns about philosophical differences between their agencies regarding goals of placement. This was particularly acute with jurisdiction over youth in need of supervision. Many County Welfare people were concerned about having to pay for probation placements and again felt this was a jurisdictional issue. Special Education was concerned about lack of cooperation, and timely and meaningful involvement on cases. Aftercare felt Probation did not understand their policies and goals.
- Special Education: Both Probation and County Welfare were critical of Special Education regarding the lack of clarity and uniformity within some school districts on their policies and procedures for funding placements. Probation and County Welfare were also very concerned that Special Education personnel did not understand or appreciate Probation's and County Welfare's roles and philosophies in relation to youth in need of placement. The lack of standardization of Special Education's policies appears to have produced a disjointed pattern of involvement on cases. Their role in relation to their working relationship with other agencies appears to be ill-defined.

- 4) Whereas most agencies experience a high degree of concurrence on the part of the youth court judge on decisions affecting placement, Special Education appears to enjoy that concurrence less than the others. Special Education personnel cited as their main problem a lack of consultation or communication with youth court before decisions are made.

Again, County Welfare personnel were very concerned about orders to pay for placement in cases where they would have little or no involvement. Several County Welfare personnel also cited a lack

of adequate and consistent representation from the county attorney's office.

Placement Process and Resources

Respondents were asked thirteen questions relative to the adequacy of programs and facilities, and factors involved with placement of moderately and severely disturbed youth.

For purposes of this survey we defined the terms severely and moderately emotionally disturbed youth the same as these terms were defined in an earlier survey distributed by the Interagency Committee on Emotionally Disturbed Children and Youth. One may disagree with these definitions in a clinical sense, but they do provide a point of departure, allowing the respondent to differentiate between these classifications. The definitions are as follows:

Severely disturbed youth are those who are so suicidal, violent and/or "crazy" that they can't be treated or contained in the community. They need physically secure, institutional treatment. Moderately disturbed children are those who are so depressed, suicidal and/or "crazy" that they are having significant difficulties adjusting in their own foster, or group homes. Consequently, they need more intensive treatment, but do not have to be committed to a physically secure setting as do severely disturbed youth.

Questions 11 and 12 asked about the adequacy of facilities and programs for the treatment of moderately and severely disturbed youth. We must emphasize that we did not ask the respondents to evaluate the adequacy of individual programs or facilities, but rather to assess the overall adequacy of the system. Nearly 70% of the respondents disagreed there were adequate programs and facilities for treatment of moderately disturbed youth and nearly 72% disagreed there were adequate programs and facilities for the treatment of severely disturbed youth. Eighty-one percent of County Welfare respondents particularly disagreed with the adequacy of programs and facilities for severely disturbed youth.

Are youth placed inappropriately, then, due to this factor? When asked if they felt, in questions 9 and 10, if some moderately and severely disturbed youth were inappropriately placed due to a lack of appropriate facilities or programs, 78% agreed that moderately disturbed youth were and 70% agreed that severely disturbed youth were placed inappropriately. Eighty-eight percent of the County Welfare workers, and 90% of Special Education personnel agreed on this with moderately disturbed youth, whereas only 53% of Probation officers agreed.

The situation reversed itself with severely disturbed youth, with 73% of the Probation Officers agreeing, and only 50% of the county social workers agreeing. The point, however, is that they believe strongly that some youth are placed inappropriately due to a lack of appropriate facilities or programs.

Does this have to do with a lack of funding or fiscal constraints? It does, but not to the degree expected. Sixty-three percent disagreed with the statement "Due to fiscal constraints, there are some severely disturbed youth who are not placed even though they are in need of placement or placement in a more appropriate setting." This pattern of response was approximately the same for all agencies with the exception of Aftercare where 80% of the workers agreed that fiscal constraints did inhibit placement of severely disturbed youth.

When the same question was asked about moderately disturbed youth, the pattern shifted in that 57% agreed that fiscal constraints inhibited placement of those youth. There were no major differences in the manner in which Probation, Aftercare, and Special Education responded, but 50% of the County Welfare workers disagreed.

One may postulate the shift in responses between severely and moderately disturbed youth may be due in part to the fact that, once a youth is classified as severely disturbed, then the state is financially responsible for the

treatment and care of those youth. The response County Welfare had relative to moderately disturbed youth may be due to their perception that fiscal constraints are not a significant issue.

This is consistent with their response to question 5, which was "The decision as to where to place a youth is largely based on the availability of funding for placements." Whereas 52% of the respondents agreed with this, only 37% of County Welfare personnel thought the availability of funding influenced where a youth was to be placed. These perceptions, however, may change significantly given current and future federal cutbacks.

Question 14 was designed to assess the respondents' feelings about the appropriateness and proximity to their community of treatment programs for moderately and severely disturbed youth. The first statement was, "When they require placement, it is important to place a moderately disturbed youth in close proximity to a youth's community if effective treatment is to occur." Overall 36 (78%) of the respondents agreed with this statement. However, there were significant differences among agencies. In order of frequency, they were as follows:

	<u>Number</u>	<u>Percent</u>
County Welfare	15	93.8
Special Education	8	80
Probation	11	73.3
Aftercare	2	40

The response to the same statement regarding proximity of severely disturbed youth to their community produced inconclusive results. This would seem to indicate, viewing the table that follows, that agencies are undecided as to the need to have treatment programs in close proximity to the communities of severely disturbed youth.

	Agree		Neither Agree nor Disagree		Disagree	
	#	%	#	%	#	%
County Welfare	9	56.3	4	25	3	18
Probation	7	46.7	1	6.7	7	46.6
Aftercare	2	40	0	0	3	60
Special Education	3	30	5	50	2	20
Total/Average	21	45.7	10	21.7	15	32.6

The next statement was; "The decision as to where to place a (moderately/severely) disturbed youth should be based on the appropriateness of the setting whether or not it is in close proximity to the community." For moderately disturbed youth this statement produced, overall, a higher level of agreement than the previous statement relating to proximity of the placement. (87% as compared to 79%)

However, within agencies we found that County Welfare workers felt that proximity was more important (93.8% as compared to 75.5%) than appropriateness, when the two values were compared. Probation, on the other hand, shifted significantly in the opposite direction (73.3% as compared to 93.3%).

When the same question was asked about severely disturbed youth, the level of agreement was extremely high (95.6%) with no major differences among agencies.

In sum, the respondents felt that the appropriateness of a facility, whether it be for moderately or severely emotionally disturbed youth, weighed in favor of proximity of the facility to the youth's community. This was especially true for severely disturbed youth. For moderately disturbed youth the pattern was less strong and in fact, County Welfare tended to put proximity ahead of appropriateness. Regardless, the respondents, with the exception of Aftercare, still felt strongly that proximity was important for moderately disturbed youth. County Welfare's orientation is more strongly directed toward proximity of the facility to their community, in part, due to a philosophical commitment to keep families intact.

The last statement was: "Some youth within my jurisdiction end up being placed because support services are not adequate to maintain the youth in his family or less restrictive setting." Thirty-four (75%) agreed with this statement. However, there were differences in how agencies responded. Shown in order of frequency are how the agencies responded in terms of agreement.

Agreement with Statement on Adequacy of Support Services

	<u>Number</u>	<u>Percent</u>
Special Education	9	90%
Aftercare	4	80%
County Welfare	12	75%
Probation	9	60%
Total	34	74%

It appears the more agency personnel have direct access to support services, the less they tend to agree with the statement. Special Education is, in itself, a kind of support service and, as evidenced by earlier comments, its staff do not feel they are involved adequately in making these decisions. Aftercare is more isolated, as evidenced by the kind of caseload they carry and by the lesser number and kind of agencies they work with. However, they are all concerned about the adequacy of support services and its impact on placement.

When we asked if they had other concerns that we had not covered relative to the placement process and resources, the respondents answered as summarized on the following page.

Summary of Responses to Other Concerns
Relative to the Placement Process and Resources

	Number Responding
County Welfare	
- Lack of local resource development and/or "beefing-up" existing resources. Some emphasized the development of professional foster homes as an alternative to residential care.	-9
- Other	<u>-2</u>
	<u>11</u>
Probation	
- Lack of resources at local level. Some respondents emphasized with the inclusion of resources for treatment of chemical dependency, sexual offenders and violent offenders.	-6
- Process for placement and funding placements is too cumbersome and lengthy.	<u>-5</u>
- Other	<u>-1</u>
	<u>12</u>
Aftercare	
- Miscellaneous responses	-5
Special Education	
- Funding: coordination with other agencies and/or lack of funding.	-4
- Lack of resources for moderately disturbed youth; location of programs mostly in Eastern part of state	<u>-3</u>
	<u>7</u>

Summary

We can summarize that the respondents felt the following on issues relating to the placement process and resources:

- 1) Over 70% of the 46 respondents disagreed that there were adequate programs for the treatment of both moderately and severely disturbed youth. Verbal comments indicate a need for additional resource development, or to "beef-up" existing resources.
- 2) Because the programs are not adequate, most respondents believed that slightly more moderately disturbed youth are inappropriately placed than severely disturbed youth. This feeling is more pervasive among County Welfare workers than Probation as it relates to moderately disturbed youth, but the pattern is reversed with severely disturbed youth.

3) The majority of respondents generally, with the exception of Aftercare, did not agree that fiscal constraints affected placement of severely disturbed youth. A bare majority thought fiscal constraints affected placement of moderately disturbed youth. County Welfare workers, as compared to other agencies, consistently felt that fiscal constraints did not play a significant role in placement. A bare majority also believed, with the exception of County Welfare workers, that the availability of funding affected where a youth is to be placed.

4) The greater an agency has as its orientation the maintenance of an intact family, the more they felt the placement for moderately disturbed youth should be in close proximity to the youth's community.

This was less important for severely disturbed youths. Most agencies, with the exception of County Welfare workers, felt that it was more important that the placement was appropriate than in close proximity. For severely disturbed youth appropriateness outweighed proximity, but in all cases both values were strongly held.

5) Overall, 74% of the respondents felt that some youth within their jurisdiction end up being placed because support services are not adequate to maintain a youth in his family or less restrictive setting. This was most strongly felt by Special Education personnel, followed by Aftercare, County Welfare and then Probation.

Diagnosis and Evaluation

In this section we asked respondents about issues involving resources for evaluating a given youth; the utility of diagnostic findings; and community based vs. residential evaluations.

One assumption going into this section was that agency representatives are generally not very satisfied with the evaluation resources in their community, or residential evaluation programs. We were, to some extent,

surprised at just how satisfied they were with these evaluation resources, and the degree to which they were utilized. As will be pointed out later, however, some significant limitations to the resources available and their relative costs were identified.

To digress somewhat, youth-serving agencies rely heavily on diagnostic and evaluation findings. Tremendous resources are expended on diagnosis and evaluation.

The format we used in the questionnaire for determining the number and levels of satisfaction with evaluation resources was to first ask which resources they had utilized over the past 24 months, and then for each one of these resources to ask a number of more detailed questions. Specifically, we asked them whether they referred the youth to the evaluation resource in order to:

- 1) Develop a treatment plan
- 2) Check your perceptions of the problem(s)
- 3) Determine the most appropriate placement
- 4) Provide information for court or other judicial proceedings.

What we found was that if a respondent had referred a youth for an evaluation, then they tended to indicate that all of the categories applied. That is, when youth were referred for evaluations, the respondent indicated that at some time or another all four reasons were touched on. This was what we expected. What we did not expect was the lack of discrimination of respondents on how satisfied they were with the usefulness of the evaluation results within each of the reasons for referring youth for an evaluation. That is, if they were satisfied with one reason, they tended to be satisfied with all. On the other hand, if they were dissatisfied, that pattern tended to permeate the other reasons. Therefore, in analyzing the responses to this section, we developed a composite score which gave an overall impression of how satisfied they were with the evaluation resource.

The community based evaluation resources we asked about were as follows:

Mental Health Centers
Private Psychologist
Private Psychiatrist
Child Study Team
Other

The residential evaluation resources we asked about were:

Mountain View School for Girls
Pine Hills School for Boys
Youth Evaluation Program
Warm Springs Children's Unit
Yellowstone Boys and Girls Ranch
Other

Community Based Evaluation Resources

How extensively are these evaluation resources utilized? We found, with the exception of Aftercare, that the agencies used between 3.6 and 3.8 different community-based evaluation resources. Aftercare, on the average, used 2.2.

In order of frequency of utilization, the resources were:

<u>Community Based Evaluation Resources</u>	<u>Respondents Utilizing The Evaluation Resource Number</u>	<u>Percent</u>
Mental Health Centers	42	91%
Private Psychologist	41	89%
Child Study Team	34	74%
Private Psychiatrist	29	54%
Other* (Child Protection Team, Rimrock Guidance, School Psychologist)	19	42%

We did not expect to find private psychologists used as extensively as they were, or to find child study teams ranking third on the list. Only one of the five Aftercare counselors and ten of the fifteen Probation Officers had worked with the child study team. This is perhaps due to a number of their clientele being out-of-school.

How satisfied were they with these evaluation resources? In order of satisfaction they are ranked as follows:

Level of Satisfaction with Community Based
Evaluation Resources
(Major categories in order of satisfaction)

Evaluation Resource	Generally Satisfied		Neither Satisfied nor Dissatisfied		Level of Satisfaction	
	#	%	#	%	#	%
Private Psychologist	38	93	2	5	1	2
Private Psychiatrist	24	80	0	0	6	20
Child Study Team	27	79	4	12	3	9
Mental Health Centers	24	57	10	24	8	19

What this graph tells us is that agency people are generally satisfied with the community based resources. What we did not expect was the private sector being utilized as extensively as it is, and the level of satisfaction with those resources.

There were no major identifiable patterns between levels of satisfaction and agency affiliation, with the exception of Mental Health. County Welfare (46%) and Probation (40%) respondents were either generally dissatisfied, or neither satisfied nor dissatisfied with mental health. Why is this the case? We noted in an earlier section of this report that eleven out of fifteen verbal responses received through our survey were negative in nature. Those negative responses tended to focus on philosophical differences regarding the goals and need for placement; the lack of realistic or practical diagnostic recommendations; and, a tendency to work only with those youth who, on their

own volition, accept help.

Another reason cited in the Conference Report on Emotionally Disturbed Children 1981 was the "lack of experienced and trained child therapists." One center cited that it was difficult, given the current fiscal status, to even attract qualified generalists. This lack of emphasis for child therapists, due primarily to inadequate financial resources, seems to significantly contribute to agency dissatisfaction.

It also appears that where a community has more choices, that is more evaluation resources from which to choose, the level of satisfaction overall increases. In one urban county, for example, the Mental Health Center is not used at all by two of the agencies, due to the preponderance of private psychologists in the area. In rural areas, on the other hand, either the case worker refers a youth to the evaluator available in the community or places the youth out for a residential evaluation.

Residential Evaluation Resources

A different picture emerges as to the degree that residential evaluations are utilized by agencies. With the exception of Aftercare, the other agencies used just about the same number of community based resources. Probation utilized residential evaluations over one and one half times as much as the next agency, Aftercare. The order of frequency that agencies used different residential evaluations are as follows:

Agency	Average Number of Residential Evaluation Resources Utilized
Probation	3.8
Aftercare	2.2
County Welfare	2.0
Special Education	1.8

Which residential evaluation resources were used most and least? The table on the following page lists those resources in order of frequency:

Residential Evaluation Resource	Respondents Utilizing The Resource Number	Percent
Pine Hills School for Boys	25	54
Mountain View School for Girls	24	52
Youth Evaluation Program	21	46
Yellowstone Boys & Girls Ranch	19	41
Warm Springs Children's Unit	16	35
Other	14	30

The major users of both Pine Hills and Mountain View were, as expected, Probation and Aftercare. One-hundred percent of Probation and 60% of Aftercare respondents indicated using Pine Hills and 93% of Probation and 80% of Aftercare respondents utilized Mountain View.

Again, Probation utilized the Youth Evaluation Program to the greatest extent (87%) followed by Aftercare (40%) and County Welfare (38%). The pattern shifted with 70% of the Special Education respondents indicating they utilized Yellowstone Boys and Girls Ranch, followed by County Welfare (50%), and Probation (27%). The Children's Unit at Warm Springs was most heavily utilized by 47% of the Probation respondents followed by Special Education (40%), and County Welfare (25%).

A possible explanation for these utilization patterns is that Pine Hills, Mountain View, the Youth Evaluation Program and, under certain circumstances, Warm Springs do not charge the referring agency for evaluations. These programs are funded by state general fund appropriations. With the exception of Warm Springs, these programs have a stronger corrections orientation. With the exception of the Youth Evaluation Program, all provide security. These issues will be discussed further in the section on factors affecting use of residential evaluations.

How satisfied were the respondents with the residential evaluation resources? The following table summarizes their levels of satisfaction in order:

Level of Satisfaction with Residential Evaluation Resources
 (Major categories in order of satisfaction)

Evaluation Resource	Level of Satisfaction					
	Generally Satisfied		Neither Satisfied nor Dissatisfied		Generally Dissatisfied	
#	%	#	%	#	%	
Youth Evaluation Program	19	91	0	0	2	9
Yellowstone Boys and Girls Ranch	17	90	1	5	1	5
Warm Springs Child. Unit	14	81	0	0	2	13
Mountain View School for Girls	18	75	3	13	3	11
Pine Hills School for Boys	18	72	2	8	5	20

There is somewhat of an inverse relationship between the amount the resource was utilized by the respondents and their level of satisfaction. The exception to this was the Youth Evaluation Program. Pine Hills and Mountain View received the two lowest rankings of all residential evaluation resources. However, this must be considered within the context that nearly three-fourths of all respondents were generally satisfied with these two facilities. Generally Aftercare and Special Education tended to rate Pine Hills and Mountain View lower.

Factors Relating to Residential Evaluations

We asked the respondents how they decide a youth needs a residential rather than a community based evaluation. We asked five questions and allowed for additional factors if they wished. Four respondents, all from County Welfare, did not answer these questions since they did not refer youth for residential evaluations. For purposes of this analysis, their responses were not considered. However, when discussing differences between agencies, the fact that four County Welfare respondents did not refer youths for residential evaluations needs to be firmly kept in mind.

First, agencies were asked whether "need for a more secure environment while being evaluated" was a factor. Ninety-three percent responded that it was. Probation and Aftercare were unanimous in their feelings about this factor.

Next we asked about the "need for a more thorough evaluation." Eighty-eight percent of those responding said it was a factor in deciding whether or not a youth needed a residential evaluation. Nearly all Probation workers thought so, and of those County Welfare workers responding, nearly all of them felt it was a factor.

When asked if "few evaluation resources in my community" had a bearing on their decision, 57% said no. The pattern was the same for all agencies with the exception of Aftercare, where 60% of them thought it was a factor.

When asked if, "The lack of expertise in my community to provide me with an adequate evaluation" affected their decision whether or not a youth needed a residential or community based evaluation, 69% said no, while 31% said yes. However, when looking at this issue within the context of rural and urban counties, a very different picture emerges.

Lack of expertise, while a significant factor, is not as strongly felt as the lack of evaluation resources. (43% - resources vs. 31% expertise). However, in those counties that are considered rural, respondents were nearly evenly divided on whether few evaluation resources in their community was a factor in sending youth off for residential evaluations (5 yes, 6 no). When asked about lack of expertise in their community, ten out of the eleven rural respondents felt that was a factor. This accounts for ten out of the thirteen respondents who felt lack of expertise was a factor in youth being sent for residential evaluations.

The last question asked was whether or not, "getting the youth out of the community for a while" was a factor. Fifty-two percent said it was not while 48% said it was. We were surprised to see this factor operating this strongly in the decision making process relative to residential evaluations.

Probation and Aftercare (57% and 60% respectively) felt that getting a youth out of the community was a factor in residential evaluations, whereas

Welfare respondents were evenly divided and only 30% of Special Education respondents felt it was a factor.

One may conclude that the type of clientele, (that is, the degree of their "acting-out" behavior), may indicate that simply getting a youth out of the community for a while is in itself an objective. The fact that Probation and Aftercare felt most strongly about this would tend to support this conclusion since their clientele tend to "act-out" in ways that would be defined in terms of danger to themselves, or the community.

Additional Factors

Most comments reiterated earlier factors relative to a lack of resources, personnel, and ability of the community to cope with the "acting-out" behavior. The need to maintain some control over the youth's environment was also expressed since, if the youth is heavily involved with, for example, drugs or running away, it is difficult to gain a clear perspective of the youth's behavior.

Many respondents indicated that if there were a local residential program and they had the financial resources, they would want to evaluate the youth in their community on a residential basis.

A few Probation respondents indicated that sending a youth away to either Mountain View or Pine Hills for an evaluation gives the youth a taste of institutional life, and an understanding of the seriousness of his/her behavior.

Summary

- 1) Overall, over 70% of agency representatives surveyed are generally satisfied with both community and residential evaluation resources.
- 2) Private psychologists and psychiatrists are used far more extensively

by respondents than anticipated. Private psychologists in particular were rated very high in terms of satisfaction, while Mental Health centers were rated low st. The reasons for this are cited on page 26. The number of community based resources utilized, with the exception of Aftercare, was about the same for all agencies.

3) Residential evaluation resources were not utilized, as expected, as much as community resources. However, we found that Probation tends to utilize far more residential evaluation resources than any other agency. With the exception of the Youth Evaluation Program, there appears to be an inverse relationship between how many respondents indicated utilization of a given residential evaluation program and their level of satisfaction: that is, the more the program tended to be utilized by respondents, the lower their levels of satisfaction tended to be. However, most (70% or more) respondents were satisfied with these programs. One must keep in mind that the majority of these evaluation programs do not charge the referring agency for these youth, which may have a significant bearing on their utilization.

4) The need for security and the need for a more thorough evaluation are highly significant factors in determining whether or not a youth needs a community based vs. residential evaluation. The need to get a youth out of the community for a while bears very strongly on the decision making process for Probation and Aftercare. While lack of resources and expertise are of some significance, they are not as significant as the other factors mentioned. However, in the rural counties, 10 out of 11 respondents indicated that the lack of expertise in their community to provide them with an adequate evaluation was a factor in deciding whether or not a youth needed a residential evaluation.

Four respondents, all from County Welfare, did not respond to these questions since they do not use residential evaluations.

Other factors in determining the need for residential evaluations focused on lack of resources, funding and the need to control the youth's environment. Some respondents indicated that if there were a local program, they would utilize it. However, such a program would have to provide security and the evaluation would have to be thorough. Some indicated that the residential evaluation process does give a youth a "taste" of institutional life.

ANALYSIS OF THE FACILITY UTILIZATION QUESTIONNAIRE

The Montana Board of Crime Control, under the auspices of the Interagency Committee on Emotionally Disturbed Children and Youth, mailed a questionnaire in January 1982 to all group home and private child care providers identified in the Montana Group Care Facilities 1980-81 handbook.* The purpose of the questionnaire was to determine the following for fiscal years 1980 and 1981.

- 1) The total licensed capacity of the facilities and their average occupancy rates. This would allow us to establish the degree to which facilities have been utilized and if there were noticeable changes in fiscal years.
- 2) The age, sex, and referral agency for the youth that were placed in the facility. This basic identifying information was, for the most part, self-explanatory. However, since no one single agency keeps information on youth referred to group care facilities, it was necessary to go directly to the facilities.
- 3) We also wanted to know in which county the youth last resided if that was different from the county in which the facility was located. This information would give us a comprehensive view of which counties were placing youth in various facilities and in which part of the state they were being placed. In effect, this would tell us whether there was a relationship between the number and types of facilities located in communities and the degree to which they were being utilized by that community. We could also

*See Appendix C which is a description of the various group homes and child care agency facilities.

determine migration patterns of youth throughout the state.

For purposes of analysis we grouped counties into judicial districts.

Overall 26 questionnaires were mailed to Achievement Homes, After-care Group Homes, District Youth Guidance Homes and Child Care Agencies. One group home ceased operation after the questionnaires were mailed, thus leaving 25 facilities. Nineteen of 25 questionnaires were completed and returned, which is a 76% return rate. We have attempted in our analysis to keep this limitation in mind.

Analysis of Group Home Utilization

Most group homes, with the exception of Achievement Homes, are licensed for 7 youth. Achievement Homes are licensed for eight youth. Most group homes accept both boys and girls. The exceptions to this are the Butte/Silver Bow District Youth Guidance Home, which accepts only females, and the Gallatin-Park District Youth Guidance Home and the now defunct Billings Achievement Place, which accepted only males.

The average percent occupancy for the two year period under study was:*

<u>*Type of Group Home</u>	<u>Percent FY 80</u>	<u>Occupancy FY 81</u>
Aftercare Group Homes	N.A.	72
District Youth Guidance Homes	67	71
Achievement Homes	76	81

For the District Youth Guidance Homes and Achievement Homes, the occupancy rates increased by 4% between the two fiscal years. In nearly all facilities, as an average, about two beds remained vacant at any given time.

*Refer to Appendices E, F, & G for a more detailed breakdown of occupancy data

For those facilities that returned questionnaires** we determined that 307 youth were referred to the facilities over the study period in question. This is an average of 153.5 youth per year.

Sixty percent of all youth referred were in the 16-18 age group and 39% were in the 13-15 age group, with less than 1% in the 12 and under age group. There were slightly more males than females referred (51% males, 49% females), with the largest category comprised of 16-18 year old males. This pattern did not change appreciably between group home systems, except that District Youth Guidance Homes cared for slightly more females than males (57% female and 43% males).

Generally, as expected, group homes tend to care for more older youth, who tend to use the peer group as their primary focus. These youth have, for the most part, outgrown the traditional foster care system, according to the literature. The lack of significant differences between the various foster home systems would indicate this sex and age distribution is fairly universal.

Referral Agencies

The referral agencies about which we were concerned were Department of Social and Rehabilitation Services, Youth Court (County Probation), Aftercare and School Districts. The Youth Court referred 49%, followed by Aftercare (27%), and SRS (22%). Other referral sources accounted for approximately 2% and school districts referred none. Not surprisingly, SRS made the majority of referrals into the Achievement Home system, while making only 3 referrals into the Aftercare system. Aftercare, on the other hand, made no referrals into the Achievement Home system, but ranked second in referrals into its own system, after the youth

**Refer to Appendices H thru L for a detailed breakdown of population characteristics by Facility and Totals.

TABLE 1

TOTAL ALL GROUP HOMES
FY 80 & 81
TOTAL ALL YOUTH REFERRED - 307 Youth

- * Sex - incomplete count due to some questionnaires omitting this information.

court. In the District Youth Guidance Home system, the Youth Court again made the most referrals (50%), followed by Aftercare (37%) and then SRS (25%). Overall, the youth court placed as many youth in the group homes as Aftercare and SRS combined. There does not seem to be as much of a relationship between sponsorship of the group home, source of payment, and the agency referring youth as we expected. We expected SRS would refer more youth into this system but the section on child care agencies will illuminate the situation more clearly.

Judicial District of Last Residence

In this section we wanted to know whether the level of development of a group home system within a judicial district would have an impact on whether or not a youth would tend to be placed within or outside the district. This is based on the assumption that certain districts have made a philosophical commitment to keeping youths in close proximity to their community, and have the group home resources to make this viable. Conversely, we would also assume that those districts which have fewer group home resources would tend to place more youth out of their district.

Table 2 summarizes the findings. Clearly those judicial districts which had no group homes in their districts were forced to place 100% of their youth outside their district. Of the 19 judicial districts, 10 of them have at least one group home that responded to the survey. Overall these facilities account for 85% of all youth who were identified in the survey as being placed and overall 67% of these youth were placed within their own judicial districts.

TABLE 2

TOTAL FY 80 & 81 YOUTH PLACED INSIDE OWN JUDICIAL DISTRICT IN THOSE JUDICIAL DISTRICTS WHERE A GROUP HOME IS LOCATED & QUESTIONNAIRE RETURNED *

J.D. #	JUDICIAL DISTRICT IN WHICH A GROUP HOME IS LOCATED		Total # Placed in J.D.'s respond- ing to survey	# Placed in J. D.	% Placed in J. D.
	# of Group Homes	Total # of Licensed Beds			
1	1 - A.C. 1 - A.H.	15	27	23	85
2	1 - DYGH	7	25	10	40
4	1 - A.C. 1 - A.H. 1 - DYGH	23	52	51	98
6 & 18	1 - DYGH	7	31	19	61
8	1 - A.C. 1 - A.H. 1 - DYGH	14	25	14	56
9	1 - DYGH	7	14	11	79
12	1 - DYGH	7	29	18	62
13	1 - A.C.	7	42	22	52
16	1 - DYGH	7	17	8	47
		94	262 = 85% of total # of youth placed (307) in FY 80 & 81	176 = 57% of total # of youth placed (307) In FY 80 & 81	67%

A.C. = Aftercare

A.H. = Achievement Home

* Those Group Homes not responding included:
Lake and Flathead DYGH's, and Great Falls
and Billings Achievement Homes.

There appears to be a relationship between the number of licensed beds, the population of the judicial district, and the number of youth placed within that district. For example, the 4th Judicial District, whose major population center is Missoula, has 23 licensed beds and placed 98% of its youth within the district. The 13th Judicial District, whose major population center is Billings, has only 7 licensed beds and placed only 52% of its youth within the district. A small judicial district like the 9th Judicial District, whose major center is Shelby, has seven licensed beds and placed 79% of its youth within its district.

There are, of course, other factors that must be considered including the degree of confidence one has in the facility, the type of facility, the level of support services, and, as was mentioned previously, the philosophical tenor of the community. However, in those communities which have a more highly developed group home system that reflects the needs of the community, youth tend to be placed in those districts. The most striking example is Butte/Silver Bow (Second Judicial District). Since there is only one group home for females, only 40% of all youth placed were placed within the district.

Summary of Group Home Utilization

Obviously, those judicial districts without group home facilities were unable to place youth within their district. Those districts tended to be the more rural ones. In those districts that could be characterized as rural that did have group homes, we found they tended to have lower occupancy rates (57% and 68% respectively in FY 81).

In one case the facility was utilized a great deal within the district (79%) and in the other case, many youth were placed out of district (53%) despite the low occupancy rate. Again, population cannot be the complete explanation. In summary we found:

- 1) That group homes as a whole tend not to be suffering from overly high occupancy rates. There is little difference between occupancy rate and type of group home, but the Achievement Homes that responded tended to have higher occupancy rates. Perhaps this is due in part to the sophistication of their treatment program.
- 2) There were slightly more males than females placed in group homes, with the largest group being 16-18 year old males, followed by 16-18 year old females. There were virtually no youths aged 12 and under out of the 307 youths identified.
- 3) There is virtually no relationship between referral source and the type of group home referred to, with the exception of SRS and their referral pattern into Achievement Homes. Agency sponsorship and funding sources appear to have little bearing on which agency refers a youth to a given facility. Probation referred the most youth, followed by Aftercare and then SRS. The program models for group homes as a whole do not appear to meet the needs of youth who are the responsibility of SRS personnel.
- 4) There appears to be a relationship between the number of licensed beds in a judicial district and the population of that district, and whether or not the youth is placed in

or out of the district. For example, the 4th Judicial District has a relatively highly developed group home system and as such placed 51 of 52 youth in the district. The 2nd Judicial District (Butte/Silver Bow) on the other hand has one group home for females and placed only 40% of their youth in district. There are other factors to consider, however, including the philosophical tenor of the community; the degree of confidence in facilities by referring agencies; and the level of support services.

Analysis of Child Care Agency Utilization

A child care agency, as defined by Montana licensing standards, provides care for thirteen or more youth. Generally, the manner in which child care agencies operate in terms of administration, staffing, food service, and treatment differs significantly from group homes, but even within child care agencies there are major differences.

Six of eight child care agencies completed and returned the questionnaire mailed.* Licensed capacities for the facilities range from 15 at the RITZ to 121 at Yellowstone Boys and Girls Ranch. Therefore, the development of an average or mean licensed capacity figure would be meaningless.

All facilities, with the exception of the Florence Crittenton Home, accept both males and females. The average occupancy of the facilities for the two year period under study is reported in Table 3. They ranged from 46% occupancy at Big Sky Christian in FY 80 to 90% occupancy at the RITZ in Great Falls in the same year. Occupancy rates increased by only

*Refer to Appendix M for a detailed breakdown of the responses by facility

TABLE 3

PRIVATE CHILD CARE AGENCIES
AVERAGE OCCUPANCY OF FACILITIES
FY80 & FY81

	Licensed Capacity	FY80 - Average Occupancy		FY81 - Average Occupancy	
		#	%	#	%
BIG SKY CHRISTIAN	21	9.6	46	12.1	58
CHEYENNE HOME	55	44.5	81	44.5	81
FLORENCE CRITTENTON	18	12.6	70	12.2	68
INTER-MOUNTAIN DEACONESS	32	22.0	69	24.4	76
YELLOWSTONE BOY'S & GIRL'S RANCH	80 - 81 107 121	88.9	83	98.7	82
RITZ	15	13.5	90	13.1	87
AVERAGE			77		78

TABLE 4
TOTAL ALL PRIVATE CHILD CARE AGENCIES
488 Youth

12 & Under		13-15		16-18		Sex		SRS		Youth Court		After Care		Sch. Dist. #4 Other - #5		J.D. # - # of Youths		Judicial District of Last Residence				
#	%	#	%	#	%	M-1	F-2	#	%	#	%	#	%	#	%	#	%	1-20	7-6	13-91	19-10	
61	12	219	45	208	43	120	30	73	18	181	37	79	16	5	1	39	8	185	38	6-8	12-12	18-12
																		2-14	8-32	14-2	Out of State-53	
																		3-15	9-21	15-19	Unknown-21	

1% between the two study years (77% FY 80 and 78% FY 81), but that needs to be tempered by the fact Yellowstone Boys and Girls Ranch added 14 beds in FY 81.

These facilities are designed, with the exception of the Florence Crittenton Home, primarily for the treatment of moderately and severely emotionally disturbed youth. However, as will be seen under the section on referral sources and origin, it would appear that many of these beds are in fact serving the same capacity as group home beds. That is, due to a lack of group homes in some jurisdictions, child care agencies are serving in their place.

Overall, of the facilities returning the questionnaire, 248 licensed child care agency beds were identified. This compares with 94 licensed group home beds.

Put differently, of the total 342 beds identified, 72% were child care agency beds. Sixty-one percent of the total youth placed (795) over a two year period were referred to child care agencies, as opposed to 39% at group homes. Generally, the average length of stay at a child care agency is longer, which accounts for fewer youth proportionately being referred to those facilities.

Unlike group homes, the largest age group referred to child care agencies was in the 13-15 year range (45%), closely followed by 16-18 year olds (43%), and then 12 and under (12%). In group homes sex distributions were nearly equal, but in child care agencies 64% were males. The major group represented, as in group homes, was again 16-18 year old males (30%), but closely followed by 13-15 year old males (29%). Females 13-15 and 16-18 each comprised 18% of the populations in child care agencies.

Referral Agencies

The single major referral source to child care agencies was SRS (37%). However, one dynamic we did not expect was the number of referrals from the "other" category which, taken collectively, exceeded any other single referral source. Thirty-eight percent of all youth referred to child care agencies fell under this "other" category. The major referral sources within this category were from out of state jurisdictions, primarily to Yellowstone Boys and Girls Ranch, and Bureau of Indian Affairs or tribal governments, primarily to The Cheyenne Home in Ashland.

The next major referral source was the youth court (16%) followed by school districts (8%) and Aftercare (1%). One must assume that since Probation and Aftercare tend to use state institutions more frequently, their use of child care agencies would not be as strong.

When comparing the two major referral agencies with the two types of group care facilities to which they refer, the following picture emerges:

Agency	Total	Group Home #	Group Home %	Child Care Agency #	Child Care Agency %
SRS	284	67	27	181	73
Youth Court	230	151	66	79	34

As can be seen, SRS heavily favors child care agencies (73%) over group homes (27%). With probation, the opposite was the case. This dynamic will be discussed further in the section on Implications.

Judicial District of Last Residence

In order of frequency, the judicial districts placing youth in child care agencies were as follows: (Refer to Appendix B for a map of Judicial Districts in Montana)

Table 5
Number of Youths Placed in Judicial Districts
In Order of Frequency By Population and
Population Ranking in FY 80-81

Judicial District	Population Rank	Population*	Number of Youth Placed in Child Care Agencies
13	1	133,809	91
16	8	34,582	80
8	3*	86,788	32
4	2	129,915	30
9	9	29,409	21
1	5	46,306	20
15	13	18,716	19
10	15	16,377	15
3	12	22,176	15
2	7	38,092	14
5	18	13,634	13
18	6	42,865	12
12	11	27,313	12
19	14	17,752	10
17	17	15,617	9
6	16	15,876	8
7	10	28,226	6
11	4	51,966	5
14	19	9,967	2

*1980 Census

The two judicial districts with the highest placement rates were significantly skewed due to the high number of placements by the BIA and tribal governments.

The smaller the judicial district is in population, the greater likelihood the placement rate will be higher. This is in part due to the lack of development of local programs, facilities and support services in these rural areas.

In reviewing this data we wanted to determine whether or not the presence of community based facilities affects the degree to which youth are placed in institutional child care agencies. We did not question the adequacy or if there were a sufficient number of beds, but rather if the mere presence of a group home facility in the community affected whether they would stay in the community.

The policy implications of this are extremely significant. In the field personnel survey, nearly 94% of the County Welfare workers responded that it was important to treat moderately emotionally disturbed youth in close proximity to the youth's community if effective treatment was to occur. Remember that SRS represents the largest single referral agency to child care agencies. Also remember that approximately 60% of all youth placed were referred to child care agencies, generally away from their communities, as opposed to group homes.

Therefore, the analysis took the following form. (Refer to Table 6) First we converted numbers of placements in group homes and private child care agencies into numbers of youth placed per 10,000 youth within the judicial district. The number of judicial districts with and without group homes is roughly equal. The 15th and 16th Judicial Districts were excluded from the analysis since their commitment figures were highly skewed due to the high numbers of BIA and tribal government referrals.

By noting the changes between the columns, one could determine if those agencies within the judicial district placed proportionately more youth in group homes or child care agencies. A positive number indicates that more youth were placed in group homes, while a negative number indicates more youth were placed in child care agencies.

Table 6
 Comparison of Youths Placed Per
 10,000 Population in Group Homes and
 Child Care Agencies by those Judicial
 Districts that do or do not have Group Homes
 FY 80 and 81

Judicial Districts with Group Homes # of Youth Placed/10,000 pop.				Judicial Districts without Group Homes # of Youth Placed/10,000 Pop.			
J.D.#	Group Homes	Child Care Agencies	Difference	J.D.#	Group Homes	Child Care Agencies	Difference
1	5.8	4.3	+1.5	3	4.5	6.8	-2.3
2	6.8	3.7	3.1	5	2.2	9.5	-7.3
4	4.0	2.3	+1.7	7	1.1	2.1	-1.0
6 & 18	5.2	3.4	+1.8	10	3.7	9.1	-5.4
8	2.9	3.6	-0.7	11	.8	1.0	-0.2
9	4.7	9.2	-5.5	14	2.0	2.0	0
12	10.6	4.4	+6.2	17	3.2	5.7	-2.5
13	3.1	6.8	-3.7	10	3.9	5.6	-1.7
<u>Total</u>		<u>+4.4</u>		<u>Total</u>		<u>-20.4</u>	

Again, even though more youth were referred to child care agencies, it is apparent the presence of a group home within the district significantly affects whether the youth will tend to stay in the community for treatment. Overall, 4.4 more youth per 10,000 population would be treated in the community if there were a group home in the judicial district, as compared to 20.4 youth per 10,000 population being treated in a child care facility if a group home is not available within the district.

As stated previously, the economic and treatment implications of this are very significant. It tends to confirm that placement resources within rural areas are largely undeveloped. In urban areas, with the exception of Missoula County, they are underdeveloped.

Implications of Facility Utilization Study

By and large facilities are not at capacity, ranging within 70-80% of capacity for the two years under study for both group home facilities and child care agencies. The implication is that we should not so much question the capacity of the system for the treatment of moderately and severely disturbed children, but rather its adequacy.

In the questionnaire administered to field personnel we asked whether or not there were adequate programs for the treatment of moderately and severely disturbed youth. Nearly 70% of the respondents disagreed there were adequate programs for treatment of moderately disturbed youth and nearly 72% disagreed there were adequate programs for the treatment of severely disturbed youth.

When we asked them whether they felt some youth were then inappropriately placed due to a lack of appropriate facilities or programs, 78% felt this was the case for moderately disturbed youth and 70% agreed that some severely disturbed youth were inappropriately placed.

Taking this point further, these same field personnel felt very strongly that programs for the treatment of moderately disturbed youth should be in close proximity to the community if effective treatment is to occur. When this is taken together with the fact that SRS workers refer more youth to child care agencies than any other single agency, and believe that proximity of the facility for treatment of moderately disturbed youth is more important than its appropriateness, then it is clear that community based resources are either not developed to an optimum level, or are underdeveloped.

The lack of relationship between those agencies referring to group home facilities and the type or sponsorship of that facility tends to support the necessity of reviewing the administrative relationships for those facilities. We also received numerous comments from field personnel who felt existing group home treatment programs needed to be strengthened in order to more effectively treat youth. Put differently, there appears statewide to be no conscious attempt toward the development of a community based treatment program that has, as its principle attribute, a continuum of care. In one judicial district where this has occurred, the results have been impressive, but even in this case the multiplicity of agencies involved with budget and rate review is at best inefficient. Whether resolution of this issue portends the development of a single state agency for the administration of the group home system, or the development of strong interagency agreements to provide a central focus for the development of policy, remains to be resolved. It is clear, however, based on utilization data and field personnel perceptions, that the current system is far from optimum. That is not to say that individual group homes are doing an inadequate job or that support is lacking at the state level, but we can say that collectively the system of community based care needs to grow in line with identified needs. This does not necessarily mean the number of facilities needs to increase, however.

There is the question of economics. Presently our system is comprised of facilities that are either on the low or high ends of the rate spectrum. A relatively unsophisticated group home model staffed by live-in houseparents is indeed infinitely less expensive than a child care agency that works on the basis of a rotating shift. As the economic

situation relative to human services continues to dim, it is imperative that we not only accept the challenge of developing a continuous community based system of care, but that we do so in a manner that is economically feasible.

Presently it would appear the market and facilities for slightly disturbed youth is saturated. If we are to adopt as an objective the reduction of placements at child care facilities, or put more positively, the development of more sophisticated community based facilities, then we need to work with existing group homes. They need to "beef-up" their service delivery system, so that treatment of more moderately disturbed youths can occur. It may also require the development of new programs to meet this need, but given the economies of scale it appears that such a strategy could be pursued in such a manner as to be ultimately more cost effective. Certainly this can be more cost effective than placement of 60% of all youths placed in FY 1980 and 81 in child care facilities.

Finally, we have not begun to explore and test alternative methods of service delivery for those youth who are in need of placement. One exciting development is the use of professional foster homes. Clearly, these homes are more costly than traditional foster homes and many group homes, but particularly for younger adolescent youth this model could be very appropriate. Generally, youths placed in child care facilities are younger than those placed in group homes. When we asked field personnel whether they felt that some youth in their jurisdiction end up being placed because support services were not adequate to maintain the youth in his family or less restrictive setting, 75% of those responding agreed.

A professional foster home system is in itself a support service and is less than half as costly as a child care facility.

UTILIZATION OF DIAGNOSTIC AND EVALUATION RESOURCES

Community-Based Resources

We were unable to obtain utilization data for all community-based resources, except Mental Health Centers. Private psychologists and psychiatrists do not keep data in a uniform manner and access to that information is guarded by confidentiality and the enormity of the task. State Special Education does not maintain a statewide data base for youth evaluated through their child study teams.

Since Mental Health Centers were utilized by more field personnel (as indicated in the questionnaire administered to County Welfare workers, Probation officers, Aftercare workers, and Special Education personnel) than any other evaluation resource, the information on Mental Health Centers is of significance.

There was one major problem in the data collected through Mental Health Centers. Jerry Hoover, Administrator of the Mental Health and Residential Services Division, Department of Institutions, requested all regional Community Mental Health Center directors to provide the information we requested on numbers and characteristics of youth evaluated in their centers during calendar year 1981. Since centers do not keep separate information on youth evaluated, a problem with interpretation occurred. Some centers reported "evaluation only" cases while others reported evaluation and treatment cases. One center did not respond to the request as written, but provided information on total numbers of youth aged 13-17 at the Mental Health Center.

With these significant limitations in mind, the information presented in Table 7 should be viewed as a general estimate of the numbers of youth evaluated by Mental Health Centers in calendar year 1981.

TABLE 7

Summary of Youth Referred to Mental Health Centers for Evaluation* - Calendar Year 1981
Ages 13-17

Mental Health Centers		Region I Eastern Montana	Region II North-Central Montana	Region III South-Central Montana	Region IV Southwestern Montana	Region V Western Montana	TOTAL	Average % Of Distribution
Number of Youth Referred:								
Aged 13-17		200	43	188	88	27	546	
Sex	Male	97	28	93	NA	15	Unable to Compute	51%
	Female	103	15	96	NA	12		49%
Average Cost		\$120.00	\$94.11	\$48.62	\$135.00	\$78.00	\$51,173.29	\$93.72
R	S	Family/Self	70	6	82	M	1	35%
E	O	Courts/Law Enforcement	13	4	30	I	5	12%
F	L	Schools	37	5	22	S	7	16%
E	R	Social Services/SRS	31	17	31	S	12	20%
R	C	Other Agencies	25	7	—	I	—	7%
R	E	Other	24	4	12	N	2	10%
A	L					C		
N	P	Patient Pay	100	6	71	27	216	
E	A	Medicaid	20	26	48	35	9	40%
T	V	Private or Other					138	25%
H	Y	Insurance	5	4	64	19		
O	Z	Schools	23	—	—	—	92	17%
D	N	Other Agency	12	1	—	4	27	5%
T	Social Services	21	—	2	7	—	22	4%
O	Other	19	6	3	—	—	21	4%
F						2	30	6%

* Data Limitations: Some Mental Health Centers, like Region II, counted evaluations only, while several others included youth that received evaluations and additional services like individual or group therapy. These limitations are significant and therefore, the reader should concentrate on the final column -- Average percent of distribution.

** Based on estimates provided by Dave Briggs. We arbitrarily took 50% of the total caseload figures as an estimate of those receiving evaluations.

Of the estimated 546 youth receiving evaluations, it appears sex distribution was roughly equal (51% male, 49% females). The total cost of these evaluations was approximately \$51,000 or an average of \$93.72 per evaluation. Although not reported, it was estimated the average evaluation took from one to three hours to complete. Obviously, the seriousness of the behavior and other factors would significantly impact the time necessary to complete the evaluation.

As can be seen in Table 7, the major referral source was family/self (35%), followed by social service/SRS (20%), schools (16%), and courts/law enforcement (12%). The "Other" category and "Other agency" categories referred 17% of the total number of youth for evaluations.

Although it was not surprising to see "Family/Self" as the major referral source, followed by "Social Services/SRS", we did not expect to see schools rank as high as they did or courts/law enforcement to rank so low. The implications of this referral pattern are not clear except that perhaps too much emphasis has been placed on the courts' referral pattern to Mental Health for evaluation. Conversely, it appears as though the school system utilized mental health evaluations more than was previously thought.

However, we noted the referral pattern varied tremendously among the four Mental Health Centers reporting this information. For example, within the "Family/Self" category, two centers reported that as the major referral source, while in Region II, it ranked third, and in Region IV, it ranked last. This disparity between referral sources runs consistently throughout the mental health regions. Perhaps this is reflective of the responses received in the field personnel survey, wherein there was also a significant disparity

amongst the respondents as to how satisfied they were with the Mental Health Centers. Where the agency had confidence in the Mental Health Center, it was utilized and where they did not, other resources, such as private psychologists and psychiatrists, were utilized.

In terms of method of payment, Table 7 lists those methods in order. Other than Medicaid, which possibly was the major source of payment for SRS clients, other agencies identified accounted for only 12% of the payment sources for evaluations. This would indicate that the cost of evaluations do not represent a significant expenditure drain for local agencies. However, with cutbacks in Medicaid, this picture may change appreciably.

Residential Evaluations

Data on residential evaluations was much more easily obtained than Mental Health Center information. With the exception of Yellowstone Boys and Girls Ranch (YBGR), the residential state evaluation programs are state institutions.

As can be seen in Table 8, the major residential evaluation program for FY 80 and 81 was Pine Hills School for Boys (PHS) (228), followed by Mountain View School for Girls (MVS) (146), Youth Evaluation Program (YEP) (114), Warm Springs Children's Unit (WSCU) (28), and YBGR (10).

The total costs for evaluations do not, with the exception of the YEP, reflect the total budget for the institution. The cost information reported in Table 8 should be considered as a reliable, conservative estimate of true costs for providing residential evaluations.

As can be seen, the total number of youth receiving evaluations decreased by approximately 8% between the two fiscal years, while the average cost of an evaluation increased by 2.4%. The total financial resources that can be attributed to the cost of evaluating for the two fiscal years was \$1,689,622, with a decrease of approximately 6% between the two fiscal years.

TABLE 8

RESIDENTIAL EVALUATIONS* - FY 80-81

Youth evaluated, total cost for evaluations, and average cost per evaluation.

FACILITY	Total Number of Youth Evaluated		Total Cost for Evaluations		Average Cost For Evaluations	
	FY 80	FY 81	FY 80	FY 81	FY 80	FY 81
Mountain View School For Girls	84	62	\$296,772	\$241,676	\$3,533	\$3,898
Pine Hills School For Boys	116	112	358,440	368,032	3,090	3,286
Warm Springs Children's Unit	15	13	91,620	80,275	6,084	6,175
Youth Evaluation Program	55	59	112,713	115,200	2,049	1,953
Yellowstone Boys and Girls Ranch	4	6	10,800	14,094	2,700	2,349
Total/Average	274	252	\$870,345	\$819,277	\$3,176	\$3,251

* All institutions surveyed designated a 45-day evaluation period.

There was a significant variation between institutions in average cost reported for evaluations ranging, from a low at the YEP in FY 81 of \$1,953 per evaluation to a high of \$6,175 at WSCU, again in FY 81. It is obvious that comparing the average cost of evaluations at Mental Health Centers to residential facilities is akin to comparing apples with oranges, but we do need to review the factors relating to youth referred for residential evaluations.

The Implications

The major factors identified by the respondents in the field personnel survey relating to referring youth for residential evaluations were, in order of frequency:

- 1) The need for a more secure environment while being evaluated (93%).
- 2) The need for a more thorough evaluation (88%).
- 3) The need to get the youth out of the community for awhile (48%).
- 4) While lack of expertise in a community did not rank very high as a factor, 91% of the respondents from rural counties thought this was a factor.
- 5) Lack of evaluation resources was not considered to be a factor.

All facilities studied are security-oriented, with the exception of the YEP; all facilities can, within a 45-day period, provide a thorough evaluation, and can get the youth out of the community for awhile.

Which types of counties made commitments to Pine Hills and Mountain View? Table 9 represents an analysis of diagnostic and evaluation commitments to PHS and MVS in FY 80 and 81, and a comparison of total commitments to commitments from urban counties. The bottom line of the

TABLE 9

Diagnostic and evaluation commitments to Pine Hills and Mountain View FY 80 and 81.
Comparison of total commitments to commitments from urban counties *.

Facility	Number of diagnostic & evaluation commitments		Number of commitments from urban counties	% of total commitments from urban counties
	FY 80	FY 81		
Pine Hills	116	80	69%	
	112	72	64.2%	
	228	152	66.7%	
Mountain View	84	65	77.4%	
	62	42	67.7%	
	146	107	73.3%	
Total of Both Facilities	200	145	72.5%	
	174	114	65.5%	
	374	259	69.3%	

* Urban counties are the 7 most populous counties in the state of Montana and represent 56% of the state's total population. Urban counties and their respective populations are:
Yellowstone: 108,035 Flathead: 51,966 Silver Bow: 38,092
Cascade: 80,696 Lewis & Clark: 43,039
Missoula: 76,016 Gallatin: 42,865

analysis is that, whereas urban counties represent 56% of the state's total population, those same counties committed 69.3% of all youth to both facilities for the two fiscal years in question. Proportionately, they committed more youth to MVS (73.3%) than to PHS (66.7%).

It appears there are other factors involved in this commitment process since the number of commitments was highly skewed by some urban counties. For example, Yellowstone County committed 85 youth to the two facilities over the two year period, which represented a commitment rate of 7.8 youth per 10,000 population. Missoula County committed 10 youth to the same facilities over the same time period, which represented a commitment rate of 1.3 youth per 10,000 population.

How do the institutions view this commitment process? While opinion was not systematically collected, a letter from Gordon Jackson, who was then Director of Clinical Services at Pine Hills School, written on March 1, 1977, stated in part regarding one of the problems concerning the evaluations at PHS:

This is when a student is committed for evaluation, however, has already been evaluated by the school system, mental health center, Warm Springs State Hospital, welfare, psychological services, the probation office, and his Aunt Fanny. This being the case, I have no idea what the court wants, as the boy has been evaluated too many times in so many different ways, that the time to begin treatment is long past.

He stated there were other abuses, including using PHS as a place to put a boy during a crisis; or a place to put a boy while developing a placement; or the use of an evaluation as a plea-bargaining tool.

In a recent conversation with the Director of PHS, it was stated that the evaluation program still suffers from many of the same abuses and, moreover, that it detracted significantly from the regular treatment program at the institution.

Why a 45-day time period? To quote a director of another residential treatment facility that provides 45-day evaluations, "It takes 3 weeks for the kid to start acting crazy again." He went on to state that it took time to get information from the youth's home community and time to write the findings.

This issue was reviewed by the Predispositional Care Task Force which was created under the sponsorship of the Youth Justice Council of the Board of Crime Control in 1977. After studying the issue and receiving considerable testimony, the Task Force offered some of the following recommendations:

A. Statutory Change

1. That no status offenders be referred to state youth correctional facilities for evaluations (Pine Hills and Mountain View Schools)
2. That the 45-day evaluation program at the state youth correctional facilities no longer be used for "treatment" purposes but that short-term commitments for delinquent youth be recognized as legitimate.

B. Administrative and Policy Change

1. That capabilities for local evaluations be expanded through funding for: (a) contracted services with existing resources, and (b) evaluation services in local communities.
2. That the Department of Institutions eventually replace the state youth correctional facility evaluation programs with a security-oriented program located in an appropriate community.
3. That the 45-day limit on evaluations be retained.
4. That sufficient funding for competent evaluation and diagnostic services be available to the Department of Institutions.
5. A youth, if at all possible, should be evaluated in his or her family setting. If a youth should be removed from his or her family, then the evaluation should consider the youth's environment, especially the family.

In summary, then, the task force recommended:

- 1) discontinuation of Pine Hills and Mountain View as evaluation sites,
- 2) use of these sites for short-term regular commitments,
- 3) development of security oriented facility for evaluations, and
- 4) that evaluations should generally occur in a youth's family setting.

There are two rationales for this. First, when a youth is removed from his/her family setting into more restrictive settings, the level of disruption to the youth increases and thus, the time necessary to "normalize" a youth's behavior increases. Note the estimate of from 1-3 hours for an evaluation in a community mental health center, as compared to 45 days in an institution.

The second factor is economics. A community mental health evaluation costs, on the average, approximately \$94.00 in calendar year 1981, while residential evaluation cost an average of \$3,251 in FY 81. There is little or no uniformity in the numbers of youth that were committed for evaluations at PHS and MVS from counties. There was no comparable data available for the other programs with the exception of YBGR, where the same lack of uniformity in referral patterns from counties still occurred.

There is no financial incentive for agencies to retain youth in their communities for evaluations. Although the numbers are either not available or are not precise enough to make comparisons, it is this author's impression that there were at least as many youth referred for

residential evaluations as for community-based evaluations. With the exception of YBGR, when a youth is committed for an evaluation, the committing agency is not charged for that evaluation.

CONCLUSIONS AND RECOMMENDATIONS

The Interagency Committee on Emotionally Disturbed Children and Youth met over a two day period in Bozeman to review the findings of this report and to make final recommendations. The following recommendations represent a consensus on the issues and where consensus could not be reached, it is so noted.

1. PLACEMENT PROCESS AND RESOURCES

Conclusions:

-There is a need for more adequate programs and facilities for the treatment of Montana's disturbed and disturbing youth. Rate structures indicate that costs are relatively low or high.

Therefore, there is a strong indication that resources within the middle range of cost are significantly underdeveloped.

This may require reallocation of existing resources.

-Where communities have community based group homes, commitment rates to child care agencies are lower. Most field personnel believe that proximity of treatment programs to communities is very important, but SRS personnel commit more youth to child care agencies than any other referral source.

-Administrative authority for the development, administration, financing, inspection and rate setting for community based and residential facilities is so fragmented that obtaining client characteristics, etc., on those youth placed at those facilities is only possible by going to the facility itself. Therefore, there is no single source of data or administrative structure that can comprehensively assess the impact of the system on the target population. There is also no vehicle available for the comprehensive or collective development of policy.

RECOMMENDATIONS:

1.1 Administration for the residential care system should be centralized in one existing state agency. This would cover all youth up to age eighteen, placed in residential settings, but would not include Pine Hills or Mountain View. It is further recommended that the functions of such residential administrative authority be organized along the following lines:

<u>Administration</u>	<u>Contracts</u>	<u>Program Planning & Development</u>	<u>Informational Systems & Evaluation</u>
-Budget Administration	-rate structures	-overall planning	-development & administration of information systems on client flow and characteristics
-centralized services	-contracts with facilities	-site specific planning	
-Interagency relationships		-community organization	
-evaluation		-training	-evaluations
		-evaluation	

This authority would not assume residential responsibilities for the child welfare system, foster care or educational placements, but would assume those responsibilities currently administered separately through the Department of Social and Rehabilitation Services and the Department of Institutions. The committee makes no recommendations as to which agency should assume those responsibilities.

1.2 A system of levels of care should be developed. That is, facilities that are designated as appropriate for the treatment of youth within a continuum of from slight to severely disturbed behavior, must be tied into the development of a system that can appropriately diagnose and evaluate youth relative to those levels of disturbance. This would ensure that youth are appropriately classified and placed in the appropriate facility or program. Responsibility for such a system must be the concern of a single state authority outlined in recommendation 1.1.

1.3 The committee did not make a recommendation on the development of new resources or the elimination of others. The committee felt that a single state authority needed to be in place before recommendations of this type could be legitimately made. That is, not enough is known about client characteristics and the extent of the treatment models in existing facilities to definitely state what needs to be added, deleted or enhanced within the residential treatment system for emotionally disturbed children and youth.

2. POLICIES AND PROCEDURES

Conclusions:

-The available data indicates there are significant strains between the youth court (Probation), County Welfare personnel, and Special Education personnel in their working relationships covering the following issues:

-There is a philosophical difference reported between Probation and Welfare over the jurisdiction and treatment of Youth In Need of Supervision (YINS).

-There is concern and resentment by County Welfare personnel over being required to pay for Probation placements, especially YINS.

-There is concern on the part of all agencies relative to the lack of clear-cut or standardized policies by Special Education and school districts, and relative to funding guidelines for educational needs for youth in need of placement.

RECOMMENDATIONS:

2.1 Change the Youth Court Act to delete the section on Youth In Need of Supervision, and add a new section on Youth In Need of Services. Under this proposal, youth would receive services on a voluntary basis until such time an agency or party believes the level of dysfunctional behavior no longer merits voluntary service provision. At such time a petition is filed by the County Attorney in District Court to declare a youth a Youth In Need of Services. The court is then responsible for determining, among other things, who has jurisdiction over the youth in question. Thus, the responsible agency would also assume financial responsibility. A copy of the proposed act appears in Appendix P. The Committee does not necessarily endorse or recommend the act in its entirety, but feels it attends adequately to the critical jurisdictional issues and procedures involving Youth In Need of Supervision.

2.2 Allocate "paper" budgets to both Probation and County Welfare offices for use in making residential placements. That is, a single state authority for residential services would allocate, on paper, a given amount for making placements. When this amount is exceeded by the local agency, then the local agency would be responsible through its own resources for payment of placements.

2.3 Require the youth court judge to obtain a child study team review before the youth court can "court order" the school district to pay for all or part of a placement. This would likely require a statutory change in the Youth Court Act. There would also need to be a requirement that the child study team act within a stated period of time, or the youth court would be allowed to act without their recommendation.

3.0 DIAGNOSIS AND EVALUATION

RECOMMENDATIONS

3.1 Discontinue the use of Pine Hills and Mountain View for evaluation purposes. Instead, change the statutes to allow for short-term commitments for reasons other than evaluation.

3.2 Establish a separate coeducational evaluation facility located on the Mountain View Campus, whose residents would be completely separated from the treatment population at Mountain View. If that is not possible, then the development of a closed evaluation unit, located near an urban center, needs to be considered.

3.3 The committee feels the Department of Institutions needs to take a closer look at the need to separate youth needing evaluation from youth needing treatment at the proposed Billings facility for emotionally disturbed children and youth.

3.4 The committee cannot make a definitive recommendation on the need for other residential evaluation programs owing, again, to the lack of a comprehensive information system on client characteristics.

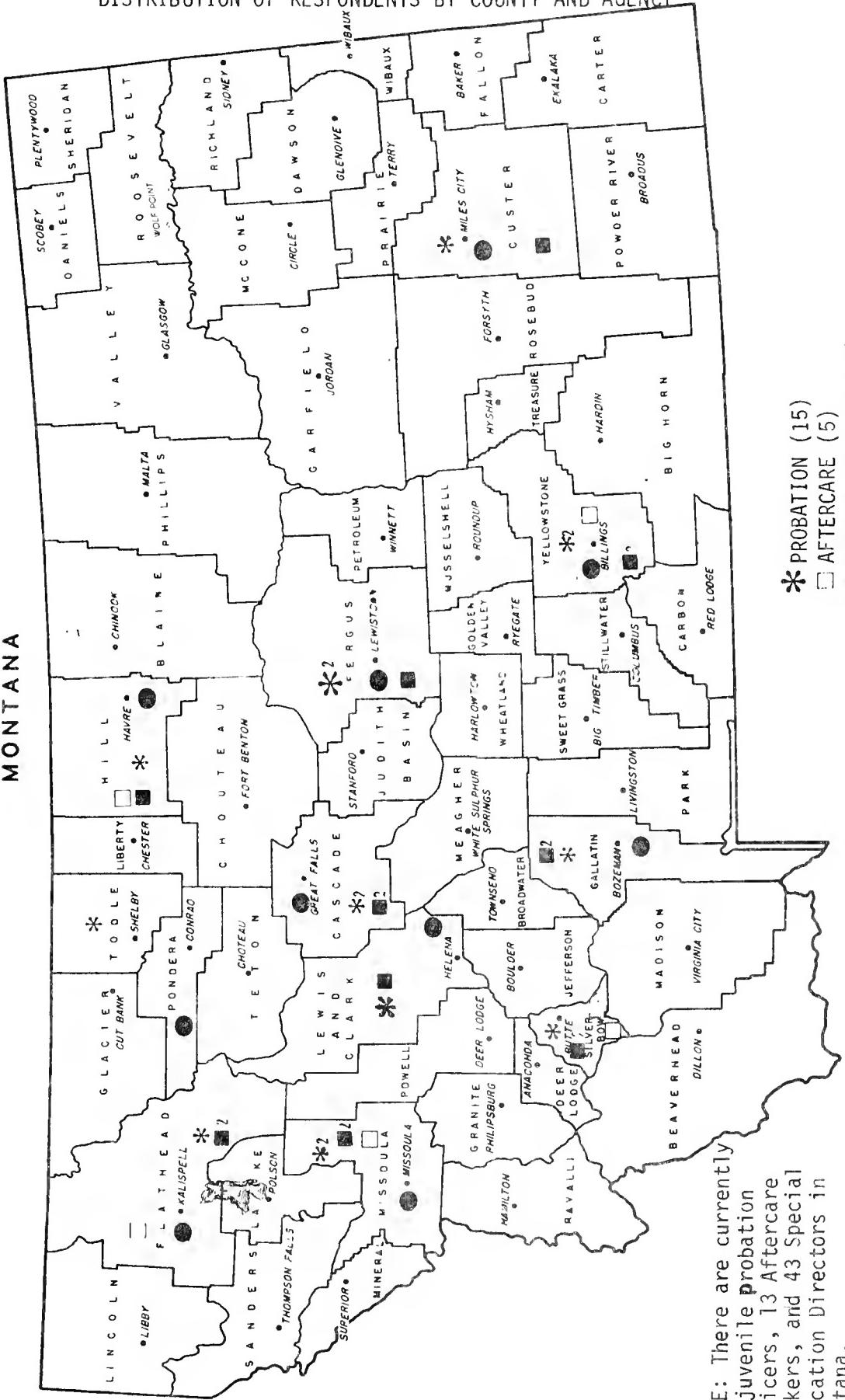
3.5 Develop a state evaluation team which would provide consultation to Mental Health centers and other agencies in evaluating youth. This team should be inter-disciplinary in nature and should be comprised of specialists in this area. The team would be responsible for the development of evaluation systems and for training of local personnel. Hopefully, such a system would reduce the number of residential placements for evaluations.

APPENDICES

APPENDIX A

DISTRIBUTION OF RESPONDENTS BY COUNTY AND AGENCY

MONTANA

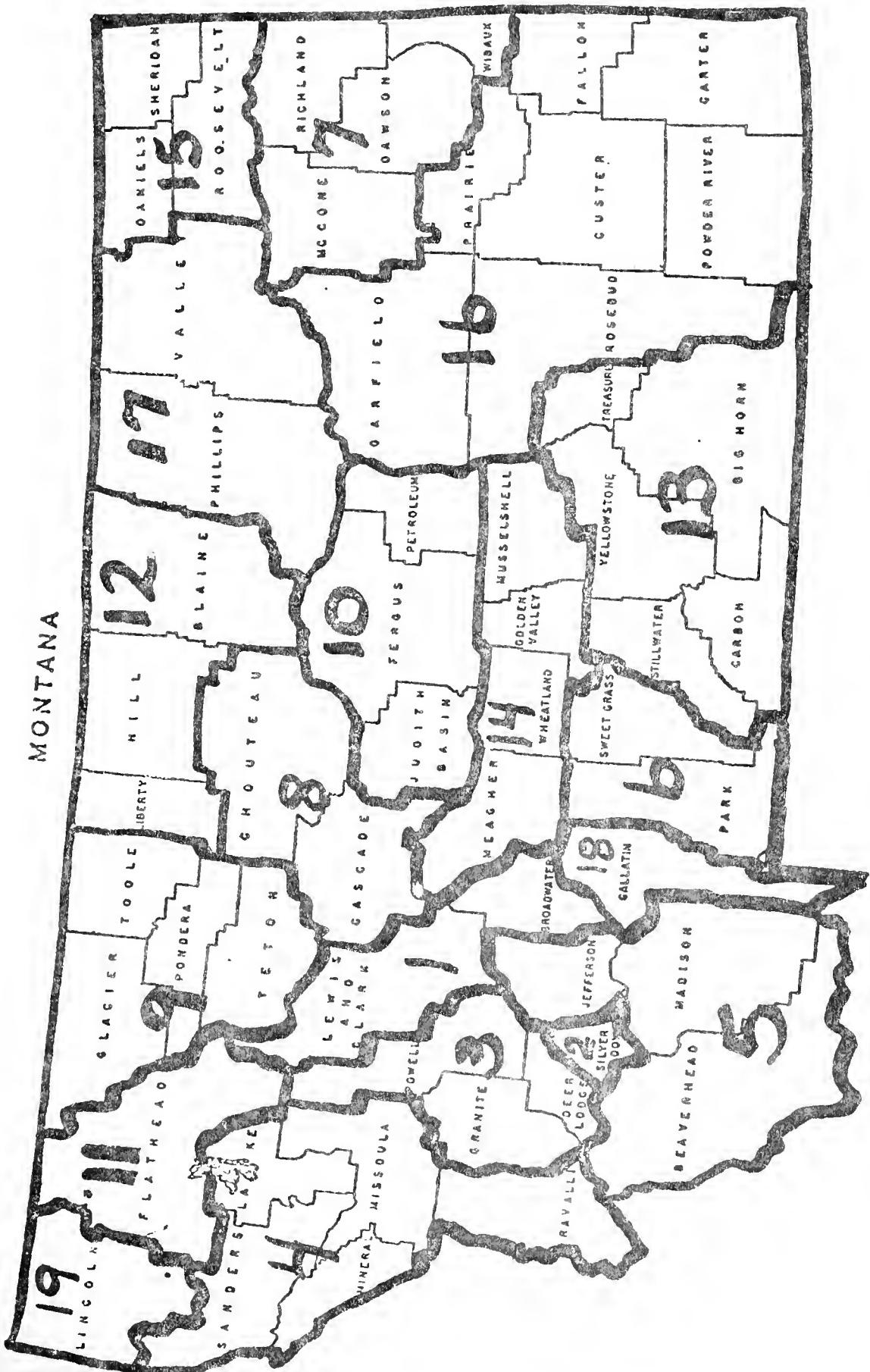


NOTE: There are currently 68 juvenile Probation officers, 13 Aftercare workers, and 43 Special Education Directors in Montana.

- PROBATION (15)
 - AFTERCARE (5)
 - COUNTY WELFARE
 - SPECIAL EDUCAT
 - 2 TWO RESPONDENT

APPENDIX B

MONTANA JUDICIAL DISTRICTS



MONTANA JUDICIAL DISTRICTS

APPENDIX C

DESCRIPTION OF GROUP HOMES AND CHILD CARE FACILITIES

Attention Homes and Receiving Homes

The state's services in the area of Shelter Care and short-term crisis care for children and youth occur in Attention Homes and Receiving Homes. The five Attention Homes are located in Helena (capacity-8), Anaconda (capacity-8), Missoula (capacity-12), Great Falls (capacity-10), and Butte (capacity-11). Three Receiving Homes for youth operate out of Billings (capacity-15), Great Falls (capacity-12), and Ronan (capacity-12). All of these programs are staffed by houseparent couples, some with full or part-time administrative staff. They are private, non-profit corporations with local Boards of Directors.

Achievement Homes

Achievement Homes were developed as an alternative to the closing of the former state institution for children at Twin Bridges, Montana. They were originally designed to work with troubled children and their families through the implementation of a specific program model. This model, the Social Learning approach, has been implemented in all of the four Achievement Homes but has not been maintained in its theoretically pure form in some of these homes. Achievement homes operate in Billings, Helena, Great Falls, and Missoula, each with a capacity to serve eight children and youth. They are governed by local Boards of Directors as private, non-profit corporations.

Aftercare Homes

Aftercare Homes operate in Billings, Great Falls, Helena, and Missoula, each with a capacity for eight youth and children. Originally designed as a community-based system to reintegrate children and youth back into communities from the state's two juvenile correctional institutions, each Aftercare Home

is served by one or more Aftercare caseworkers. Aftercare caseworkers are employees of the State Department of Institutions, Corrections Division. This Division has direct administrative responsibility for the operation of these homes, thereby eliminating the necessity for any local advisory boards. Houseparent couples staff these homes on contract with the Corrections Division.

District Youth Guidance Homes

District Youth Guidance Homes (DYGH) were established to provide community-based residential services specifically to delinquent youth and youth-in-need-of-supervision (41-5-901 MCA). They are operated as private, non-profit corporations with local Boards of Directors. Currently, DYGH's operate in nine locations: Havre (capacity-8), Butte (capacity-7), Kalispell (capacity-8), Bozeman (capacity-7), Ronan (capacity-8), Missoula (capacity-7), Shelby (capacity-6), Miles City (capacity-7), and Great Falls (capacity-7). These homes are staffed with houseparent couples under a contract with their local Board of Directors.

State Institutions

The state's two correctional institutions are directly administered by the Department of Institutions, Corrections Division. Pine Hills School for Boys is located in Miles City and generally maintains a daily population of 70-100 delinquent boys. Mountain View School for Girls is in the Helena Valley and generally maintains a daily population of 30-50 delinquent girls. Only youth who are adjudicated delinquent can be committed to these institutions (41-5-523 MCA).

Warm Springs State Hospital, Children's Unit provides the state's residential services to no more than 30 severely emotionally disturbed children and youth. Due to a consistent waiting list of approximately 30 children and

youth and the disadvantages of the facility itself, a 60-bed facility is being constructed in Billings to replace the Warm Springs program. The Children's Unit is administered directly through the Department of Institutions, Mental Health and Residential Services Division.

Private Child Care Agencies

Yellowstone Boys and Girls Ranch, located in Billings, is the largest of the private child care agencies in Montana. Services are offered for about 118 children and youth in a system of five levels of intensity. Twenty-six severely emotionally disturbed and 58 moderately emotionally disturbed children and youth can be served at any one time.

The Intermountain Deaconess Home for Children, located in Helena, can serve 36 moderately emotionally disturbed children and youth daily.

The Residential Intermediate Treatment Zone (RITZ) in Great Falls is designed to treat no more than 15 moderately emotionally disturbed children and youth per day. It is administratively attached to the Northcentral Montana Community Mental Health Center. The RITZ program is a private, non-profit corporation.

Missoula Youth Homes combines the services of an Attention Home, Achievement Home, and District Youth Guidance Home under one administrative structure to provide a community-based continuum of care for the area.

Some of the specialized approaches to private residential care exist in the Florence Crittenden Home, The Last Chance Youth Home, and the Big Sky Christian Youth Ranch. Florence Crittenden, in Helena, serves no more than 23 pregnant girls and women, facilitating a healthy adjustment to the situation of pregnancy. Last Chance Youth Home serves older youth (capacity-8) with a focus on emancipation to adulthood. Big Sky Christian Youth Ranch offers a family environment in a Christian context to 20 boys and girls.

The state also has a few programs for Indian youth. Among these are the Cheyenne Home in Ashland, serving 55 youth daily; the White Buffalo Home in Browning, with a capacity of 18 boys and girls; two groups homes on the Fort Peck and the Fort Belknap Indian Reservations in Eastern Montana. The two homes are newly constructed and are just beginning to get established.

All of the private, non-profit corporations work under the direction and advice of citizen advisory Boards of Directors.

APPENDIX D

Department of Institutions
Diagnostic and Evaluation Commitments

County	Mountain View School			Pine Hills School			Combined Totals
	FY 80	FY 81	Total	FY 80	FY 81	Total	
1 Beaverhead		1	1		1	1	2
2 Big Horn	1	1	2	4	2	6	8
3 Blaine	2	1	3				3
4 Broadwater							-
5 Carbon		1	1				1
6 Carter							-
7 Cascade	14	10	24	20	9	29	53
8 Chouteau				2	4	6	-
9 Custer				1		1	6
10 Daniels	1		1	3		1	2
11 Dawson	1		1	3		3	4
12 Deer Lodge				3		3	3
13 Fallon	1		1		1	1	2
14 Fergus	2	1	3	1	6	7	10
15 Flathead	4	5	9	8	10	18	27
16 Gallatin	4	1	5	7	8	15	20
17 Garfield							-
18 Glacier	1		1		1	1	2
19 Golden Valley							-
20 Granite							-
21 Hill	9	4	13	7	3	10	23
22 Jefferson				2	3	5	5
23 Judith Basin							-
24 Lake	1	2	3	4	3	7	10
25 Lewis & Clark	4	5	9	9	3	7	21
26 Liberty		1	1				1
27 Lincoln				2	1	3	3
28 Madison		1	1		1	1	2
29 McCone							-
30 Meagher							-
31 Mineral							-
32 Missoula	4	2	6	1	3	4	10
33 Musselshell					5	5	5
34 Park	2	1	3	4	4	8	11
35 Petroleum							-
36 Phillips							-
37 Pondera							-
38 Powder River							-
39 Powell	1	5	6				6
40 Prairie							-
41 Ravalli	2	1	3		1	1	4
42 Richland							-
43 Roosevelt				1		1	1
44 Rosebud	1	3	4	1	2	3	7
45 Sanders	1		1				1
46 Sheridan				1		1	1
47 Silver Bow	8	3	11	2	7	9	20
48 Stillwater				1		1	1
49 Sweet Grass				1	1	2	2
50 Teton							-
51 Toole	1	1	2	5	1	6	8
52 Treasure							-
53 Valley	1		1		3	3	4
54 Wheatland							-
55 Wibaux							-
56 Yellowstone	18	12	30	26	29	55	85
TOTAL	84	62	146	116	112	228	374

APPENDIX E

AFTERCARE GROUP HOMES
AVERAGE OCCUPANCY
FY80 & FY81

FACILITY	Licensed Capacity	FY80 - Average Occupancy		FY81 - Average Occupancy	
		#	%	#	%
BILLINGS	7	M		5.7	81
HELENA	7	I	S	5.3	75
GREAT FALLS	7	I	I	4.1	58
MISSOULA	7		N G	5.0	72
AVERAGE	7			5.0	72

APPENDIX F

DISTRICT YOUTH GUIDANCE HOMES
AVERAGE OCCUPANCY OF FACILITIES IN
FY80 & FY81

FACILITY	Licensed Capacity	FY80 - Average Occupancy		FY81 - Average Occupancy	
		#	%	#	%
BEAR PAW	7	4.4	63	5.4	77
BUTTE/SILVER BOW	7	4.9	70	5.6	80
GALLATIN/PARK	7	5.8	82	3.9	56
MISSOULA	80/81 7 8	5.4	77	6.8	84
9TH JUDICIAL DISTRICT SHELBY	7	3.5	50	4.0	57
SOUTHEASTERN MT. - MILES CITY	7	4.5	64	4.7	68
8TH JUDICIAL DISTRICT GREAT FALLS	7	4.4	63	5.2	74
AVERAGE	7	4.7	67	5.1	71

APPENDIX G

ACHIEVEMENT HOMES
AVERAGE OCCUPANCY
FY80 & FY81

	Licensed Capacity	FY80 - Average Occupancy		FY81 - Average Occupancy	
		#	%	#	%
HELENA ACHIEVEMENT	8	5.2	65	6.1	76
TOM ROY GROUP HOME	8	6.9	86	6.9	87
AVERAGE	8	6.1	76	6.5	81

APPENDIX H

TOTAL ALL AFTERCARE GROUP HOMES
 FY 80 & 81
 TOTAL ALL YOUTH REFERRED = 101 YOUTH

12 & Under		13-15		16-18		M-1		Sex		SRS		Youth Court		After Care		Sch. Dist.		#4		J.D. # - # of Youths		Judicial District of Last Residence			
#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%	#	%
0	0	36	36	17	17	19	19	3	3	53	53	45	45	-	-	-	-	1-8	6-2	11-1	16-1	2-6	7-1	12-6	17-0
		65	64	36	36	29	29	3	3	53	53	45	45	-	-	-	-	3-3	8-10	13-33	18-3	4-9	9-2	14-2	19-7

APPENDIX I

AFTERCARE HOMES - BY 80 & 81

Agency	12 and under		13 - 15		16 - 18		SRS #1	Youth Court #2	After Care #3	Sch. Dist. #4 Other - #5	J.D. # - # of Youths	Judicial District of Last Residence	
	#1	#2	#2	#3	M-1	F-2							
BILLINGS AFTERCARE			22		10	12					4-1	10-3	16-1
				16	12	4					6-1	12-3	18-2
TOTAL =	38				22	16	0	20	18		7-1	13-22	19-2
HELENA AFTERCARE			8		4	4					8-1	14-1	
				11	4	7							
TOTAL =	19				8	11	2	12	5		8-3		
GREAT FALLS AFTERCARE			5		3	2					1-1	8-4	14-1
				14	7	7					2-1	9-1	18-1
TOTAL =	19				10	9	1	12	6		3-1	12-2	19-1
MISSOULA AFTERCARE			1								5-1	13-5	
				24	13	11							
TOTAL =	25				13	12	0	9	16		1-2	6-1	12-1
											2-1	8-3	13-4
											3-1	9-1	19-1
											4-8	11-1	

APPENDIX J

TOTAL ALL DISTRICT YOUTH GUIDANCE HOMES
= 163 Youth

APPENDIX K

DISTRICT YOUTH GUIDANCE HOMES - FY 80 & 81

Agency	12 and under #1	13 - 15 #2	16 - 18 #3	Sex M-1 F-2	SRS #1	Youth Court #2	After Care #3	Sch. Dist. #4	Judicial District of Last Residence
								Other #5	J.D. # - # of Youths
	--								*2-1 12-18 18-1
BEAR PAW		16		7 9					6-1 13-1
		11		6 5					8-1 15-1
	TOTAL = 27			13 14 0		9	7		11-2 17-1
	--							--	
BUTTE-SILVER BOW		12		12					*2-10 11-1 18-3
		13		13					3-4 12-1
	TOTAL = 25			25		12	8		6-1 13-3
GALLATIN-PARK		1		U					8-1 16-1
		13		K					
	TOTAL = 29			15					*6&18-19 17-1
									8-1
LAKE									
	TOTAL								
MISSOULA YOUTH GUIDANCE HOME		--							1-1
		7		4 3					*4-25
	TOTAL = 29			21	15 6				9-1
9TH JUDICIAL DISTRICT YOUTH GUIDANCE HOME - SHELBY		--		19	9 6	15	6	--	19-1
		14		--					
		8		--					
	TOTAL = 22			--					
SOUTHEASTERN MT. YOUTH GUIDANCE HOME - MILES CITY		--							
		5		6	13	3			
		11		2	3				
	TOTAL = 16			11	9 2				
(Teen Home) 8TH JUDICIAL DISTRICT DYCH - GREAT FALLS		--							
		3		2	3				
	TOTAL = 16			13	4 9				
				4	12 7	5	4	--	

* JUDICIAL DISTRICT IN WHICH FACILITY IS LOCATED

APPENDIX L

ACHIEVEMENT HOMES - FY 80 & 81

to compel the attendance of witnesses; to confront and cross-examine witnesses testifying against the party; and admit or deny the allegations against the party in the petition.

- (10) For the purpose of notice only, a list of witnesses to be used in proving the allegations of the petition, together with their residence address. Any additional witness discovered after the filing of the petition will be furnished to the party's counsel.

J. SUMMONS:

The summons and service shall conform to the requirements of Sections 41-5-502 and 41-5-503, Montana Codes Annotated.

K. INITIAL APPEARANCE:

The Court shall:

- (a) Advise the parties of their rights to counsel and appoint counsel if necessary.
- (b) If appropriate, determine the question of detention.
- (c) Determine whether the youth admits or denies the allegations in the petition. If the youth requests additional time, a date certain shall be set.
- (d) If the youth admits the allegations, the court shall set a date certain for a dispositional hearing.
- (e) If the youth denies the allegations, the court shall set a date certain for the adjudicatory hearing.

L. ADJUDICATORY HEARING:

- (1) The Court, in an adjudicatory hearing for a youth in need of services, shall:

(a) Find by clear and convincing evidence that:

- (i) The facts support a determination that the youth engaged in a course of persistant anti-social conduct; or refused to assume his appropriate responsibilities to his parents or guardians to an agency legally responsible for his proper discipline, training, and education; or has committed a delinquent act; and
- (ii) The youth's physical or emotional well-being is imminently threatened by such conduct; and
- (iii) Appropriate non-court ordered services have been made available and the youth has refused such services, or such services were ineffective.

(b) Consider the following circumstances, whether:

- (i) The course of conduct was inappropriate for the age and circumstance of the youth;
- (ii) The youth has violated a previous order of the court or agreement for voluntary services;
- (iii) The youth has left or refused to follow the reasonable rules of a crisis residential center or alternative residential placement;
- (iv) The youth is an out-of-town runaway or has a history of running away;
- (v) The youth is suffering from a mental or physical condition that has significantly reduced his judgement, though failing to establish a basis for commitment; and
- (vi) The youth is suffering from alcohol or chemical dependency.

- (2) If the allegations of the petition are not established at the hearing, The Youth Court shall dismiss the petition and discharge the youth from custody.
- (3) If the Court finds that the parents or legal guardian or some other person is responsible for the harm or threatened harm, the County Attorney shall file a petition alleging abuse, neglect, or dependency under Section 41-3-401, Montana Code Annotated.
- (4) The court shall make written findings in support of its order.
- (5) The hearing shall be recorded verbatim by whatever means the court considers appropriate.
- (6) The general public shall be excluded, and only such persons who are found by the court to have a direct interest in the case shall be admitted to the proceedings.

M. DISPOSITIONAL HEARING:

- (1) Upon a finding of "in need of supervision", the Court may:
 - (a) require the youth or his/her parents to comply with specific conditions, including mental health counseling or medical treatment.
 - (b) order alternative residential placement.
 - (c) place the youth in a treatment facility for evaluation not to exceed 45 days.
 - (d) place the youth in a treatment facility.
 - (e) require service providers to submit and develop a treatment plan.
- (2) Whenever a disposition orders semi-secure or secure treatment, the facility must furnish the Court with a status report on the youth every six (6) months or so ordered by the Court.

- (3) A youth in need of services cannot, except as provided in Emergency Detention, be placed in a Youth Correctional Facility used for treatment or detention of a youth found to be delinquency.
- (4) When the Court finds that a youth in need of services is dependent upon alcohol or chemicals, and this is the primary need for treatment, the Court may, unless the Court makes a specific finding that the youth in an alcohol and chemical dependence program for residential or outpatient treatment.
- (5) The Court shall designate the agency responsible for the treatment plan or supervising the court order.

N. PROCEDURE FOR VIOLATION OF COURT ORDER:

- (1) When a person subject to a Court Order is alleged to be in violation, the Court may, on its own motion or on the motion of the County Attorney, hold a hearing to determine the facts of the alleged violation.
- (2) If the Court shall find that the person has violated a Court Order, it may:
 - (a) modify the previous order; or
 - (b) if an adult, incarcerate the person in the county jail, not to exceed five (5) days or until the violation is purged. The Court may order successive periods of confinement until the violation is purged.
 - (c) if a youth, order semi-secure or secure detention, excluding a correctional facility or jail, not to exceed three (3) days for each violation. The Court may order successive periods of detention until the violation is purged.

0. EMERGENCY DETENTION:

- (1) A youth believed to be in need of services and in immediate danger to himself/herself or others may be taken into custody by a law enforcement officer.
- (2) An officer who takes a youth into custody must immediately notify the probation officer.
- (3) The probation officer may, for the protection of the youth or others, place the youth in detention. Detention must be in the least restrictive facility.
 - (a) If the facility is used for the detention of youth charged or convicted of criminal offenses, such custody cannot exceed 48 hours without a detention hearing.
- (4) Whenever a youth has been placed in detention, the Court must hold a hearing on the next working day, excluding Saturday, Sunday, and holidays, to determine the necessity for continued detention and any necessary services to be provided under any continued detention.
- (5) If the Youth Court Judge is not reasonably available, then an officer designated by the Judge may conduct the hearing.
- (6) If, for the protection of the youth or others, the Court determines the youth must be held in a facility used for detention of youths charged with or convicted of a criminal offense, such detention cannot exceed 14 days. In such event, a petition must be filed as soon as practicable, not to exceed three (3) days, except when cause is shown, following the detention order.

A M E N D

41-5-807 Foster Care Review Committee

- (1) In every judicial district the youth court judge, in consultation with the department, shall appoint a foster care review committee. The members of the committee must be willing to act without compensation. The committee shall be composed of not less than four or more than seven members. The members shall include:
 - (a) a representative of the department;
 - (b) a representative of the youth court;
 - (c) someone knowledgeable in the needs of children in foster care placements who is not employed by the department of the Youth court; and
 - (d) a representative of a local school district.
- (2) When a child is in foster care under the supervision of the department or the youth court or if payment for care is made pursuant to 41-3-104 or 41-5-8-2(2), the committee shall conduct a review of the foster care status of the child. The review must be conducted within a time limit established by the department. The time limit must comply with federal law and may not be later than the 12-month anniversary date of the child's placement into foster care.
- (3) The department shall provide the committee with guidelines for operation of the committee. Within 30 days of the foster care review, the committee shall provide the youth court and the department a written report of its findings and recommendations for further action by the youth court or the department.
- (4) The department shall adopt rules necessary to carry out the purposes of this section.
- (5) Because of the individual privacy involved, meetings of the committee, reports of the committee, and information on individuals' cases shared by committee members is confidential and subject to the confidentiality requirements of the department.

- (6) The committee is subject to the call of the youth court judge to meet and confer with him on all matters pertaining to the foster care of a child before the youth court.
- (7) These teams may assist in assessing the needs of, formulating and monitoring a treatment plan for, and coordinating services to youth in need of supervision.

PRIVATE CHILD CARE - FY 80 & 81

APPENDIX M

APPENDIX N

Total Number of Youth Referred For
Placement By Judicial District
FY 80 & 81

Judicial District #	Group Homes		Private Child Care Agencies		Total
	#	%	#	%	
*(2)	1	27	57	20	47
*	2	26	65	14	40
	3	10	40	15	25
*(3)	4	52	63	30	82
	5	3	19	13	16
* 6 & 18	31	61	20	39	51
	7	3	33	6	9
	8	25	44	32	57
*	9	14	40	21	35
	10	5	25	15	20
	11	4	45	5	9
*	12	29	70	12	41
+ *	13	42	32	91	133
	14	2	50	2	4
	15	4	18	19	23
+ *	16	17	18	80	97
+	17	5	36	9	14
	19	7	41	10	17
Out-of-State	1		53		54
Unknown	0		21		21
	307	38.6%	488	61.4%	795
	(if out-of-state are excluded)		435 (without out-of-state)		741 (without out-of-state)

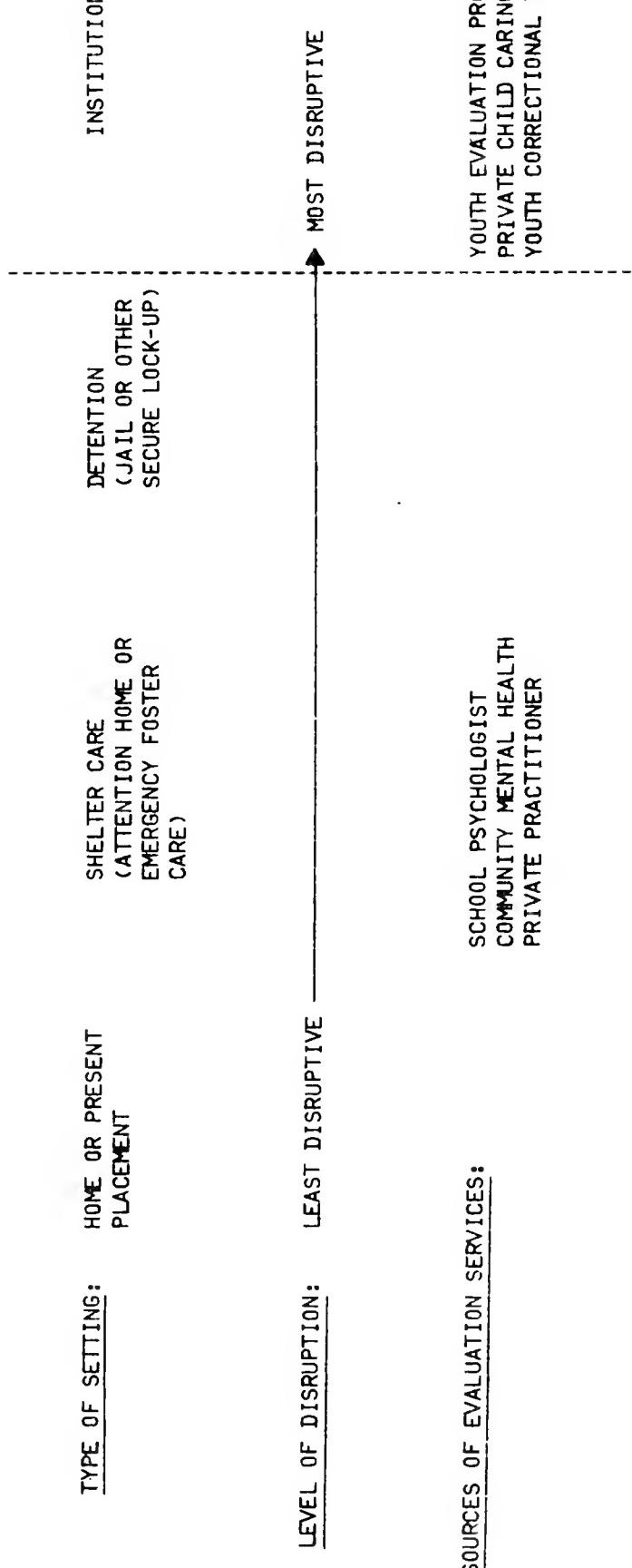
* Judicial Districts in which a group home is located and questionnaire returned.

+ Judicial Districts in which a child care agency is located and questionnaire returned.

() Number of that type of facility (either group home or child care facility) located in that judicial district.

APPENDIX O

YOUTH EVALUATION RESOURCES AND SETTINGS WITH
EMPHASIS ON LEVELS OF DISRUPTION TO YOUTH



APPENDIX P

The following proposal is not endorsed in its entirety by the Committee on Emotionally Disturbed Children. While it does address some of the issues relative to problems in dealing with emotionally disturbed status offenders, it is presented here only as a model for examination. The Youth In Need of Services concept is a proposal of the Persistant Status Offender Task Force of the Montana Youth Justice Council.

YOUTH IN NEED OF SERVICESA. DECLARATION OF POLICY:

- (1) It is hereby declared to be the policy of the State of Montana to:
 - (a) Insure that all youth, including those who, by their own conduct, behavior patterns, chemical dependence, or who are emotionally disturbed, seriously threaten their own physical or emotional well-being, are afforded an adequate physical and emotional environment to promote normal development;
 - (b) Intervene judicially only when other governmental or private services are inadequate or refused and there can be shown a compelling need for the protection of the community or a benefit to the youth;
 - (c) Provide for the treatment of these youths in their own community to the greatest extent possible.

B. DEFINITIONS:

As used in this chapter, the following definitions apply:

- (1) "Child" or "Youth" means any person under 18 years of age.
- (2) A "youth in need of services" means a youth whose normal physical or mental health or welfare is harmed or threatened with harm by his involvement in any of the behavior outlined in the following subsections, and the youth has refused or failed to respond to non-court ordered governmental or private services; and
 - (a) Engaged in a persistent course of anti-social conduct, excluding criminal acts; or
 - (b) Persistently disobeys the reasonable, lawful demands of his/her parents, guardians, or other agency legally responsible for the

- proper discipline, training, and education of the youth; or
- (c) Has committed a delinquent act, but whom the Youth Court, in its discretion, chooses to regard as a "youth in need of services".
- (3) "Semi-secure facility" means any community-based facility, including but not limited to Shelter Care facilities, specialized foster and group homes, and runaway centers that are operated in a manner to be physically restricting.
- (4) "Secure facility" means a facility that, by virtue of its physical structure, is physically restrictive.
- (5) "Court-ordered services" shall mean those services required pursuant to a judicial determination after the filing of a petition. It does not include a consent adjustment without petition.

C. JURISDICTION AND VENUE:

- (1) In all matters arising under this Chapter, the Youth Court shall have jurisdiction over:
- (a) All youths who are within the State of Montana for any purpose;
- (b) Any youth or person subject to this chapter who, under an order of the Court, has voluntarily or involuntarily removed himself from the state or the jurisdiction of the Court;
- (c) The parents or guardians of a youth alleged to be in need of services.
- (d) Once a Court exercises jurisdiction over a youth, the Court retains jurisdiction until the youth reaches the age of 18 years.
- (2) The county where a youth is found has initial jurisdiction. The Court having initial jurisdiction shall transfer venue to the county of the residence of the youth, or parent, or guardian, unless the Court finds it to be in the best interest of the child to retain jurisdiction.

D. COMMUNITY SERVICES BOARD:

- (1) The Board of County Commissioners or the Executive of a charter county government may establish a Community Service Board.
- (2) The Board of Directors must include, but need not be limited to:
 - (a) Chief probation officer or his designee;
 - (b) County welfare director;
 - (c) Chairperson of child abuse team and youth in need of services team;
 - (d) Public health nurse assigned to school duties;
 - (e) County Commissioner, or other elected county official with budget determination authority;
 - (f) A person from the major high school district holding an administrative position; and,
 - (g) A private sector service provider.
- (3) The Community Services Board (CSB) shall be responsible for promulgating policy and developing a service delivery system in the community to youth in need of services and their families. The CSB shall not furnish direct services.
- (4) The CSB advise the governing Board of the County on budgets for locally funded agencies providing services to families in conflict and youth in need of services.
- (5) The CSB shall have such other functions as are determined by the county governing body for purposes of this act.
- (6) The CSB shall be eligible to receive federal and state grants for administration.
- (7) Any discretionary federal or state grant made to local governmental agencies or private agencies to provide services to youth in need of services must be reviewed by the CSB in those counties where there is a functional board and a recommendation made to the county governing board.

E. REFERRAL OF YOUTH BELIEVED TO BE IN NEED OF SERVICES:

- (1) Whenever a person or agency believes a youth is in need of services as defined herein, such information shall be reported to the Chief Probation Officer or Welfare Child Protective Supervisor.
- (2) The Chief Probation Officer or Child Protective Supervisor shall, based upon the facts of the case, make a determination if there is reason to believe that youth is in need of services as defined.
- (3) Nothing in this section shall be construed to preclude the delivery of services by social service or other agencies under this process.
- (4) If no referral is made to the County Attorney, the person or agency reporting the matter shall be advised of the right to submit the matter to the County Attorney for review. The County Attorney, upon receiving a request for review, shall consider the facts, consult with the Probation Officer or Child Protective Supervisor, and make the final decision as to whether a petition shall or shall not be filed.

F. CONSENT ADJUSTMENT WITHOUT PETITION:

- (1) Before a petition is filed, the probation officer, in consultation with the County Attorney, may enter informal adjustment and give counsel and advice to the youth and other interested parties if it appears:
 - (a) The admitted facts bring the case within the jurisdiction of the court;
 - (b) Counsel and advice without filing a petition would be in the best interests of the child and the public.
- (2) Any probation or other disposition imposed under this section against any youth must conform to the following procedures:

- (a) Every consent adjustment shall be reduced to writing and signed by the youth and his parents or the person having legal custody of the youth;
- (b) All consent adjustments must be approved by the Youth Court Judge.

G. PRIVILEGED COMMUNICATIONS:

An incriminating statement relating to any act or omission constituting delinquency or need of services made by the participant to the person giving counsel or advice in the discussions or conferences incident thereto may not be used against the declarant in any proceeding under this chapter, nor may the incriminating statement be admissible in any Youth in Need of Services petition.

H. DISPOSITION PERMITTED UNDER CONSENT ADJUSTMENT:

- (1) The following dispositions may be imposed under consent adjustment:
 - (a) Any disposition authorized under court-ordered disposition, Section 41-5-403, paragraph (1) except paragraph (1) (e);
 - (b) Any disposition provided under Section 41-5-403, Montana Code Annotated, paragraphs (b), (c), and (d).
 - (c) Any disposition placing the youth in a treatment facility, secure or nonsecure, may not exceed a period of six months without a subsequent order of the court, after notice and hearing.
- (2) When the youth has committed a delinquent act, but is being handled as a "youth in need of services", the special conditions may, in addition to providing for the treatment of the youth, relate to the circumstances of the delinquent behavior, including restitution as provided in Section 41-5-403, paragraph (2), Montana Code Annotated, except that detention may not be imposed as a condition.

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- (3) Whenever a youth violates the terms and conditions, the matter shall be referred to the County Attorney for the filing of a petition.

I. YOUTH IN NEED OF SERVICES PETITION:

- (1) The County Attorney shall be responsible for filing all petitions alleging that a youth is in need of services. He may require all school districts, state, county, and municipal agencies, including law enforcement agencies, to conduct such investigations and furnish such reports as may be necessary.
- (2) Upon filing, the Court shall set a date, not to exceed five (5) days for the initial appearance of the youth and his parents or guardian.
- (3) A petition alleging "in need of services" is a civil action brought in the name of the State of Montana. The rules of civil procedure shall apply except as herein modified. Proceedings on a petition are not a bar to criminal prosecution.
- (4) The parents or parent, guardian, or other person or agency having legal custody of the youth named in the petition, if residing in the state, shall be served personally with a copy of the petition and summons at least five (5) days prior to the date set for hearing. If such person or agency resides out of state or is not found within the state, the rules of civil procedure relating to service of process in such cases shall apply.
- (5) In the event service cannot be made upon the parents or parent, guardian, or other person or agency having legal custody, the Court shall appoint an attorney to represent the unavailable party where, in the opinion of the Court, the interests of justice require.
- (6) If a parent of the child is a minor, notice shall be given to the minor parent's parents or guardian, and if there is no guardian, the court shall appoint one.

- (7) The Court shall appoint counsel for the youth upon filing a petition and the youth shall be represented by counsel at all stages of the proceedings. The Court may, at any time on its own motion or the motion of any party, appoint a guardian ad litem for the youth or counsel for any indigent party.
- (8) The petition shall state:
 - (a) The name, age, and address of the youth and the name and address of his parents or guardian or person having legal custody of the youth;
 - (b) The names, addresses and relationship to the youth of all persons who are necessary parties to the action;
 - (c) The facts establishing a probable cause determination that the youth engaged in a course of persistant anti-social conduct; or refused to assume his/her appropriate responsibilities to his/her parents, guardians or other agency legally responsible for his/her discipline, training, and education; or has committed a delinquent act, but whom the Youth Court, in its discretion, chooses to regard as a "youth in need of services";
 - (d) That the youth's physical or emotional well-being is imminently threatened by such conduct;
 - (e) That appropriate voluntary services have been made available;
 - (f) That the youth has refused such services or such services were not effective;
 - (g) The Court finds that the parents and/or legal guardians are responsible, then the Court shall proceed under Section 4 against the parents and/or guardians.
- (9) In a proceeding on a petition, a party is entitled to the opportunity to introduce evidence and otherwise be heard on the party's own behalf;

APPENDIX Q

THE COST OF RESIDENTIAL CHILD CARE

The following expenditures for residential group (and institutional) care placements for children and youth were made by:

FY 80

SRS	Community Services Division (Foster Care Budget)	\$ 1,249,192.00
	Economic Assistance Division (Medicaid Budget)	<u>191,133.16</u>
		TOTAL \$ 1,440,325.16
D of I	*Corrections Division	4,218,860.00
	**Mental Health & Residential Services Division	<u>795,051.00</u>
		TOTAL \$ 5,013,911.00

FY 81

SRS	Community Services Division (Foster Care Budget)	1,714,260.00
	Economic Assistance Division (Medicaid Budget)	<u>197,672.93</u>
		TOTAL \$ 1,911,932.93
D of I	*Corrections Division	4,694,686.00
	**Mental Health & Residential Services Division	<u>929,314.00</u>
		TOTAL \$ 5,624,000.00

School Year '80 - '81

OPI	Special Services (Tuition Costs)	\$ 58,081.00
	Yellowstone Boys & Girls Ranch	<u>309,133.00</u>
		TOTAL \$ 376,314.00

*This includes budgets for Pine Hills School, Mountain View School, Shelter Care, District Youth Guidance Homes, Youth Evaluation Program, and Aftercare.

**This includes budgets for Warm Springs State Hospital, Children's Unit and the Residential Intermediate Treatment Zone (RITZ).

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